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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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REBECCA EVANS
PAUL OKAMOTO
LINDA RICHARDSON
CHRISTINE RUSSELL

NOTICE OF MEETING AND AGENDA

TUESDAY, JANUARY 13, 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

REGULAR SESSION
6: 00 P.M.

COMMISSIONERS

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE L. ENG
REBECCA EVANS
PAUL C. OKAMOTO
LINDA RICHARDSON
CHRISTINE H. RUSSELL

BERYL MAGILAVY
DIRECTOR OF THE DEPARTMENT OF THE ENVIRONMENT

CHRISTOPHER CHOW
COMMISSION SECRETARY

DAVID GREENBURG
DEPUTY CITY ATTORNEY

1540 Market Street, Suite 160, San Francisco, California 94102
Telephone: (415) 554-6390 Fax: 554-6393

ACCESSIBLE MEETING INFORMATION

Air Quality

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Public Transportation
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Accessibility of Meeting Location
The meeting room is accessible by wheelchair. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are the #42 Downtown Loop, #71 Haight/Noriega, the F-line to Market and Van Ness, and the MUNI Metro stations at Van Ness and Market and Civic Center. For more information about MUNI accessible services, please call 923-6142.
There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial complex.
Large print agendas, audio tapes of minutes, sound-enhancement equipment, and other services to aid the visually and hearing-impaired to attend the meeting are available by calling 554-6390.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)
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Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

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ORDER OF BUSINESS
January 13, 1998
6 p.m.
Room 207, 401 Van Ness Avenue, San Francisco

1. **Call to Order and Roll Call**
2. **Approval of Minutes of Previous Regular Meeting of December 9, 1997** — **ACTION**
3. **Consent Calendar** – No items.

REGULAR CALENDAR

4. **Chemical Exemption Requests** – None.
5. **Communications –** — **INFORMATION**

5.01 Hearing on Energy Issues Facing San Francisco

Victor Makras, President, Public Utilities Commission, or
Anson Moran, General Manager, Public Utilities Commission
Garth Ward, Golden Gate University Environmental Law & Justice Clinic
Don Eichelberger, Alliance for Municipal Power (AMP)
Paul Fenn, American Local Power Project
Cal Broomhead, Bureau of Energy Conservation
Representative of Toward Utility Rate Normalization
Representative of Pacific Gas & Electric Company
Representative of Southeast Alliance for Environmental Justice

5.02 Resolution on Hunters Point and Potrero Hill Power Plants
(see Attachment)

6. **Finance & Operations Committee Report** — **INFORMATION**
7. **Planning & Policy Committee Report** — **INFORMATION**
8. **Public Outreach & Education Committee Report** — **INFORMATION**
9. **Director's Report**

   9.01 – Potential Additional Language to IPM Regulations For Emergency Authorizations — **REFERRAL TO COMMITTEE**

10. **President's Report** — **INFORMATION**
11. **Other Business**

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11.01 – Commission Letter to Director, Department of Parking & Traffic **ACTION**

12. Public Comment

13. Adjournment

ATTACHMENT TO AGENDA

5.02 Resolution on Hunters Point and Potrero Hill Power Plants

RESOLVED, that the Commission on the Environment urges the Mayor, the Board of Supervisors, and the Public Utilities Commission (PUC) of the City and County of San Francisco to urge and/or direct Hetch Hetchy Water and Power of the PUC to investigate and consider the purchase of the Hunters Point and Potrero Hill power plants from Pacific Gas and Electric Company.

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DEPARTMENT OF THE ENVIRONMENT

CITY AND COUNTY OF SAN FRANCISCO

BERYL MAGILAVY, DIRECTOR

TO: Commissioners, Commission on the Environment

FROM: Beryl Magilavy

RE: Potential Changes in Regulations for IPM Program: Absence of Authorizing Parties for Emergencies

DATE: 1/2/98

I received a call this afternoon from Luis Agurto from Pestec (the new contract pesticide service for many city agencies), who needed a posting exemption for a cockroach problem at Laguna Honda that couldn't wait until next week. Both Dave Frieders, Agricultural Commissioner, and Jay Seslowe, the technical lead on the IPM program in the Department of Agriculture, were out of the office for the New Year's holiday. I told Mr. Agurto I couldn't authorize it, but suggested that he have the department write Mr. Frieders a fax saying that they couldn't reach anyone, it was an emergency situation, and they were going ahead (no banned chemicals were going to be used).

We didn't put anything in the ordinance about what should be done in the absence of the Agricultural Commissioner, or in my absence either, for that matter, if there is an emergency arising regarding the use of a banned chemical.

I would like to suggest some changes to the regulations to deal with this issue—I've attached draft text to amend Section 1.7 of the implementation regulations for your consideration. The underlined material is new.

§1.7 Emergencies

(a) In the case of an emergency, departments may apply <u>for dispensation to use a banned chemical</u>, using the standard form and stating the emergency circumstances directly to the Department of the Environment. The department director has been delegated the authority by the Commission on the Environment to grant exemptions in the case of emergency.

(b) Determination of whether an emergency exists is at the discretion of the department. (Please note that emergencies, by their very nature, should be rare. The heart of an IPM program is monitoring pest populations and setting threshold damage levels so that a deliberate course of pest management can be undertaken.)

<u>(c) **Absence of those Authorized to Grant Emergency Exemptions:** Emergency exemptions to posting requirements are the responsibility of the County Agricultural Commissioner. In the event of his or her absence from the office for one or more days, he or she shall delegate the authority to consider and grant emergency posting exemptions to the</u>

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IPM Program Coordinator in the Department of Agriculture. Should this individual not be available for one or more days during the absence of the Agricultural Commissioner, the last-delegated responsible party in the Department of Agriculture shall notify the Director of the Department of the Environment, who shall be authorized to grant emergency posting exemptions until the return of an authorized party in the Department of Agriculture.

Should the Director of the Department of the Environment be absent for one or more days, authority for the granting of emergency pesticide use exemptions shall be delegated to the IPM Program Coordinator in the Department of the Environment. Should this individual not be available for one or more days during the absence of the Director of the Department of the Environment, the last-delegated responsible party in the Department of the Environment shall notify the Agricultural Commissioner, who shall be authorized to grant emergency pesticide use exemptions until the return of an authorized party in the Department of the Environment.

COMMISSION ON THE ENVIRONMENT

CITY AND COUNTY OF SAN FRANCISCO

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January 7, 1998

Mr. Bill Maher
Executive Director
Department. of Parking & Traffic
25 Van Ness Avenue
San Francisco; CA 94102

Dear Mr. Maher:

The San Francisco Commission on the Environment is charged with a number of functions designed to move our City toward an environmentally sustainable future. The Sustainablity Plan adopted last year by the Board of Supervisors contains many elements which deal with transportation policies and ways to encourage and support the City's transit first policy. Among the proposals are several designed to discourage automobile use by making parking a less attractive option than using mass transit.

With regard to implementing these proposals, we would like to receive information on current city practices which may encourage parking by city employees, thereby discouraging the use of mass transit.

Does your department have information on subsidized parking practices by various city departments? We would like to know how many parking places city departments provide for free or at reduced rates, and
whether the spaces are on city property or in private facilities. If you have the information, we would like a breakdown as to how many are provided free of charge and how many are subsidized, and what is the
level of subsidy for both. We would also like to know if you have data on the use of city vehicles for personal business, including driving to and from work.

Thank you in advance for your assistance in this matter.

Yours Truly,

Steven Krefting
Vice President

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DEPARTMENT OF THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO
BERYL MAGILAVY, DIRECTOR

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TO: Commissioners, Commission on the Environment
FROM: Beryl Magilavy
RE: Mission Bay EIR Sustainability Section Draft
DATE: 12/30/97

I wanted to send you a copy of this memo from Paul Deutsch in the Planning Department as an example of how the sustainability plan is beginning to have an insidious, positive effect on the way business is done in San Francisco.

Because members of the public have asked them to do so, the Planning Department is now using the Sustainability Plan as part of the environmental review process for projects. As Paul Deutsch mentions in this draft for Mission Bay, the plan's generality doesn't create specific mandates, but the review does flag a number of important sustainability issues that become highlighted as part of the process of approving projects. This will be noticed by others planning for approval of future projects, ant it starts to create a climate in which a sustainability approach is important. It is great to see this starting to happen.

As a result of our memo to department heads regarding sustainability implementation, the City Attorney's office is doing an informal internal audit of their practices, such as double-sided copying, and energy-efficient equipment use. We make progress!

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Beryl- Can you fill in date & Res. #?

Sustainability Plan

The *Sustainability Plan for the City of San Francisco* was endorsed by the Board of Supervisors on ~~xxxxx~~ July 21, 1997 (Resolution No. 692-97), as a non-binding guideline for policy and practice in the City and County. The City's Department of the Environment was formed to address sustainability issues, including implementing the Sustainability Plan.

The basic goal of the Sustainability Plan is to enable the City and its people to meet its present needs without sacrificing the ability of future generations to meet their own needs. The Plan contains short-term (5-year) and long-term objectives and specific actions related to various topics (air quality, energy, hazardous materials, parks, solid waste, transportation, water, wastewater, economic development, environmental justice, risk management, etc.). Although there is no specific "land use" topic, a number of Sustainability Plan objectives have land use implications, particularly those related to building design, landscaping, transportation, and neighborhood design.

The Sustainability Plan is a non-binding document and therefore does not govern the project or other City or private actions. In response to requests received during the public scoping process for this SEIR, a general evaluation of the project in light of Sustainability Plan principles is presented below. The evaluation is general because the specific actions recommended in the Sustainability Plan are not intended to be used as a detailed checklist for proposed projects.

Many of the Sustainability Plan objectives do not directly relate to the project. Many others are very specific and cannot be evaluated at this time because details of, for example, building design and landscaping, have not been formulated. Many objectives relate to recommended overall City actions, such as reduction of the solid waste stream and energy efficiency requirements, which, if enacted, would affect Mission Bay as well as the rest of the City.

Transportation objectives of the Plan focus on reducing vehicle miles and facilitating use of transit, bicycles, and walking. The project provides for bicycle routes connecting with existing City routes. The project would rely on recent and planned MUNI line extensions and upgrades to enable a high proportion of project trips to occur on public transit. Accessory parking for most uses would be limited, which could discourage excessive trips by private automobile. Local-serving retail and office uses are proposed to be allowed in all project use districts, reducing the need to travel by car for basic shopping and services.

The Plan calls for expanding green space and providing recreational facilities. The project proposes about 47 acres of public parks to serve future residents and workers of the project as well as existing residents and workers (Refer to Chapter III, Project Description, and Section V.M., Community Services and Utilities, for discussion of proposed open spaces).

Sustainability strategies for water and wastewater include maximizing reclamation and reuse of wastewater, conserving potable water, minimizing storm water flows into the City's combined sewer system, reducing system discharges to the Bay, and ensuring discharges do not impair receiving water. The project would extend and expand the City's storm and sanitary sewer

system as part of its proposed infrastructure to serve proposed development within the Project Area. The project would conform with City requirements for the use of reclaimed water. The project would include 1.6 gallon flush toilets and other water-conserving devices and appliances as required by law. The project's sewerage system would include addition of combined sanitary and storm sewer lines in Mission Bay North and the southern portion of Mission Bay South, and a new system with separated sanitary and storm sewer lines in the northern portion of Mission Bay south. The system, described in Section V.M. Community Services and Utilities, is intended to avoid degrading Bay water quality and avoid contributing to existing City system discharges in time of storm flows that exceed system capacity. The effects of the proposed system on the City system are described in Section V.M. and the effects on water quality are discussed in Section V.H. Hydrology and Water Quality.

Goals of the Sustainability Plan include prioritizing minimization of hazardous materials use and hazardous waste generation, and focusing remediation efforts "towards those issues with the highest risk of danger to human and environmental health." This approach appears generally consistent with the project proposals described in Section V.I (Health and Safety) and V.J. (Contaminated Soils and Groundwater), and reflect the Sustainability Plan's assertion that cleanup and reuse of contaminated "brownfield" sites "will enable new economic development at the same time that exposure to hazardous materials from these sites are eliminated."

The project's residential and commercial densities are relatively high. High density land use concepts are generally efficient compared with lower densities; thus, the project's consumption of resources would be expected to be lower than accommodating the same number of residents and workers in other locations or with other land use concepts.

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DRAFT MINUTES OF THE
COMMISSION ON THE ENVIRONMENT
REGULAR MEETING OF
JANUARY 13, 1998

1. **The meeting was called to order at 6:05 p.m. by President Vietor.** Present were Commissioners Eng, Evans, Krefting, Okamoto, Richardson, and Russell. Director Magilavy, Secretary Chow, and Attorney Greenburg.

1. **The minutes of the previous meeting of December 9, 1997 were unanimously approved upon motion by Commissioner Richardson.**

1. **Consent Calendar.** No items.

1. **Chemical Exemption Requests.** None.

1. **Communications** – Hearing on Energy Issues

A hearing coordinated by Commissioners Richardson and Eng was convened. Speakers from PG&E and TURN were invited to attend but were unable to appear. Commissioner Eng said the electric utility industry is in upheaval over de-regulation. Speakers included:

Garth Ward, a student at Golden Gate University Environmental Law Clinic, outlined the issues facing communities, municipalities, and private utilities in the new era of de-regulation, including privatization of power and fair siting.

Anson Moran, General Manager of the San Francisco Public Utilities Commission indicated that the PUC has not taken any position on the issues and would be receptive to any opinion the Commission on the Environment might have.

Dan Eichelberger of Alliance for Municipal Power (AMP) and the San Francisco Green Party urged the city to purchase the Hunters Point and Potrero power plants and rebuild them. His three-point program was:

1) initiate an independent study of municipalizing power;
2) set a timeline for development of a municipalization plan by the Board of Supervisors;
3) if the timeline lapses, the Board should vow not to impede the work of citizens towards municipalization.

There should also be an agreement that

1) revenues placed in an energy conservation project would eventually be de-commissioned;
2) the workers be fully unionized;
3) there be a safety net for power for poor people;
4) there be an on-going assessment towards municipalizing power.

Paul Fenn, director of the American Local Power Project, who was asked by Commissioner Eng for a definition of the term "aggregation." He characterized it as a new kind of legal mechanism that didn't exist before now.

Aggregation is the contracting of service by local government, not the purchasing or re-selling of power. Aggregation does not involve the kind of liability on the part of local government that is involved in wholesale purchasing and re-selling, in which the city is legally responsible for the service. Under aggregation, the city can simply, through its franchising authority (authority over public rights-of-way, etc.,) contract on behalf of citizens and businesses within its boundaries. By pooling together all of the load or electrical demand, it can get a better deal than consumers or businesses can individually.

He was reticent to offer an opinion on the Hunters Point power plant. He said there are health effects and liability issues facing the city. Energy has the largest impact in terms of sustainability (largest source of pollution and global warming).

The city has a role in energy efficiency. Most of our bills will be for paying off the nuclear (bad) investments of the utilities.

Aggregation allows San Francisco a new opportunity to finance roof-top solar and other alternative, cleaner energy technologies. President Clinton is developing this concept at the federal level.

Commissioner Eng stated that we spend $500 million annually for electricity, we can use that purchasing power to purchase green power. Fenn said these plants should be re-tooled, they really shouldn't be in the city because of pollution.

Eugene Coyle, a consulting economist, said PG&E had designed the system (power grid and distribution system) in a very fragile way for the city. The long-run option for the city is to develop a different power corridor.

Alex Lantsberg of Southeast Alliance for Environmental Justice, testified that the Bayview-Hunters Point community is bearing the brunt of the cost of the city's economic growth, that this is clearly an issue of environmental justice, that the first step for a sustainable energy policy is to place the means of production in local, civic hands, and that purchase of the power plants by the city would promote environmental justice and correct decades of neglect and exploitation of the community by private and public agencies.

Imogen Hubbard, a board member of SAEJ, emphasized the need for more natural sources of energy, such as wind, solar, and fuel cells. She said Bayview-Hunters Point has four times as many cases of lung cancer and other problems than any other parts of the city.

In answer to a question by Commissioner Vietor, Mr. Coyle said the fate of the power plants, if the city were to buy them, would be replacement with smaller facilities as part of a larger energy vision.

Asked about a timeline for decision-making, Mr. Moran said there is no deadline on the part of the Public Utilities Commission. However, since PG&E has been asked to divest by the California PUC, the company is under a state timeline.

Commissioner Krefting asked Mr. Moran if there are ways for the city to make it less financially atrractive for some outside entity to purchase and operate these power plants. Mr. Moran replied that the city has a number of options and "I think you are one of the key players."

5.02 - File No. 001-98-COE Resolution on PG&E Power Plants. Upon motion by Commissioner Krefting, the Commission excused Commissioner Eng from voting on a proposed resolution because of a potential conflict of interest. The following resolution, introduced by Commission Okamoto, and amended by Commissioner Evans, was adopted on a 6-0 vote by the Commission.

WHEREAS, San Francisco's existing electric system is comprised of the Hunters Point Power Plant and the Potrero Power Plant (with generating capacities of about 430 and 350 megawatts, respectively), and a network of transmission lines and local distribution system, all of which are currently owned and operated by Pacific Gas & Electric Company (PG&E);

WHEREAS, San Francisco's residential, commercial and industrial sectors spend approximately $500 million annually for the electricity provided by PG&E and, in addition, the City's municipal sector consumes $33 million annually in electricity, which is produced by hydroelectric generation facilities owned by San Francisco's Hetch Hetchy Water and Power and which is brought over PG&E's transmission and distribution lines to the City's municipal buildings;

WHEREAS, PG&E's Hunters Point Power Plant and Potrero Power Plant generate more than 2,000 tons of criteria pollutants annually, and the are the largest stationary sources of air pollution in the City and County of San Francisco;

WHEREAS, it is reasonably expected that if PG&E sells the Hunters Point Power Plant and Potrero Power Plant to a new owner, such owner will have an economic incentive in the restructured electric market to maximize the local power plants' operating capacities and this would increase the amount of air pollution burdening San Francisco's communities;

WHEREAS, the San Francisco Department of Public Health recently reported that the Bayview-Hunters Point community residents have the highest hospitalization rates for asthma (for all age groups) in the State of California;

WHEREAS, the Southeast district of the City is the only area in San Francisco where the local power plants are located and generating a significant amount of air pollution impacting surrounding neighborhoods and, for more than 50 years, the residents and businesses throughout San Francisco have benefited greatly from having reliable electric generation resources available locally in San Francisco;

WHEREAS, to protect the health, safety and welfare of local residents, as well as to promote sustainable energy programs and policies and the economic well-being of San Francisco's residents and businesses, it is believed that the City should investigate and consider how to best control and manage electric generation resources so as to integrate renewable and alternative technologies (such as wind, solar and fuel cells), reduce existing levels of air pollution from power plants, and address the disproportionate environmental burdens on the Southeast District neighborhoods from electricity generation; therefore, be it

RESOLVED, that the Commission on the Environment urges the Mayor, the Board of Supervisors and the San Francisco Public Utilities Commission to direct Hetch Hetchy Water and Power to investigate whether to purchase the Hunters Point and Potrero Power Plants from PG&E.

6. **Finance and Operations Committee Report**. Commissioner Krefting reported the committee approved the director's and the departmental workplan and approved of the commission secretary's draft workplan with the proviso that it be further revised. The next meeting is set for January 26, 1998 in consideration that its regular meeting date falls on the observance of Dr. Martin Luther King, Jr.'s birthday holiday.

7. **Planning and Policy Committee Report**. Commissioner Evans reported that the committee did not meet in December and would meet January 15, 1998.

8. **Public Outreach and Education Committee Report**. Commissioner Eng reported that model fact sheets and brochures were examined and the prospect of utilizing volunteers to help create outreach materials would be assessed. Commissioner Evans circulated a draft questionnaire surveying available resources and expertise among members and associates. The committee's next meeting is set for Thursday, January 22, 1998 in Room 322, the Board of Supervisors Conference Room/.

9. **Director's Report**. The green building legislation has been transformed. Supervisor Ammiano has introduced a resolution requesting the city attorney to produce legislation with the Department of the Environment. A new staff person has been added, Al Hom, the Integrated Pest Management program coordinator. A guidance document for the city departments is circulating. Director Magilavy has accepted an invitation to speak at the Vancouver Conference on Sustainability Planning and expects that a new fact sheet on the economic principles of sustainability planning will be completed for distribution at the conference.

   During a discussion on the progress of the proposed green/sustainable community development forum Commissioner Russell expressed concern that the outcome of the forum would be substantial and invited input into the planning process from commissioners. Director Magilavy said Mayor Brown has not yet responded to a request for co-sponsorship of the forum.

10. **President's Report**. President Vietor urged fellow commissioners to produce more resolutions. President Vietor said planning for the mayor's environmental briefing has been re-assigned to the chief of staff. A progress report is expected soon.

11. **Other Business.** Upon motion by Commissioner Krefting, the Commission unanimously approved a letter to Bill Maher, Executive Director of the Department of Parking and Traffic (please see attachment).

    Commissioner Evans declared that the city needs to review its tree policy, particularly in light of the recent destruction of the trees in Hallidie Plaza by the Department of Public Works. Commissioner Evans joined dozens of protesters in a candlelight vigil in the rain on behalf of the trees and was greatly distressed at the city's anti-tree practices.

12. **Public Comment**. Barney Popkin of the Hazardous Materials Advisory Committee to the Board of Supervisors announced a February 5 meeting of the Navy Base Closure Team to discuss options for the clean-up of the former Hunters Point Naval Shipyard. Ruth Gravanis thanked the Commission for conducting hearings on important environmental issues and further suggested that a better meeting room, with a public address system, be secured for the Commission's meetings. Under the present circumstances, the poor lighting and acoustics of Room 207 impede the conduct of city business.

13. The meeting was adjourned at 8:15 p.m.

ATTACHMENT

Mr. Bill Maher
Executive Director
Department. of Parking & Traffic
25 Van Ness Avenue
San Francisco, CA 94102

Dear Mr. Maher:

The San Francisco Commission on the Environment is charged with a number of functions designed to move our City toward an environmentally sustainable future. The Sustainablity Plan adopted last year by the Board of Supervisors contains many elements which deal with transportation policies and ways to encourage and support the City's transit first policy. Among the proposals are several designed to discourage automobile use by making parking a less attractive option than using mass transit.

With regard to implementing these proposals, we would like to receive information on current city practices which may encourage parking by city employees, thereby discouraging the use of mass transit.

Does your department have information on subsidized parking practices by various city departments? We would like to know how many parking places city departments provide for free or at reduced rates, and whether the spaces are on city property or in private facilities. If you have the information, we would like a breakdown as to how many are provided free of charge and how many are subsidized, and what is the level of subsidy for both. We would also like to know if you have data on the use of city vehicles for personal business, including driving to and from work.

Thank you in advance for your assistance in this matter.

Yours Truly,

Steven Krefting
Vice President

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CITY AND COUNTY OF SAN FRANCISCO

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NOTICE OF MEETING AND AGENDA

TUESDAY, FEBRUARY 10, 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

REGULAR SESSION
6: 00 P.M.

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(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

ORDER OF BUSINESS
February 10, 1998
6 p.m.
Room 207, 401 Van Ness Avenue, San Francisco

1. **Call to Order and Roll Call**

2. **Approval of Minutes of Previous Regular Meeting of January 13, 1998** — **ACTION**

3. **Consent Calendar** – (see Attachment A) — **ACTION**

File No. PPC-001-98	Odors in Bayview/Hunters Point Neighborhood
File No. PPC-002-98	Traffic Problems Engendered by Proposed 49ers Stadium/Mall Project
File No. PPC-003-98	Alternative Wastewater Analyses
File No. PPC-004-98	Additional Language in IPM Regulations for Emergency Exemption Authorization
File No. POEC-001-98	Public Outreach, Education & Media Plan

REGULAR CALENDAR

4. **Chemical Exemption Requests** – Recreation & Park Dept. (See Attachment B) — **ACTION**

   Avid 0.15 EC
   Banvel Herbicide
   Ciga-Geigy SUBDUE, EPA #100-619
   Hydramethylnon
   Mpede
   Myclobutonil

5. **Communications – Hearing on Air Quality:** — **INFORMATION**

   Effects of Power Plants and Auto Emissions in San Francisco and Bay Region

   Jeffrey Tumlin, Bay Area Transportation Choices Forum
   Cameron Yee, Urban Habitat Program
   Maria Lomboardo, Senior Transportation Analyst, SF Transportation Authority
   Richard Lee, Department of Public Health
   Kenneth J. Lim, Ph.D., Bay Area Air Quality Management District

6. **Finance & Operations Committee Report** — **INFORMATION**
   6.01 FY 98-99 Budget (no advance copies) — **ACTION**

7. **Planning & Policy Committee Report** — **INFORMATION**

8. **Public Outreach & Education Committee Report** — **INFORMATION**

9. **Director's Report** (no advance copies)

   9.01 – Sustainable Communities Development Forum — **INFORMATION**

10. **President's Report** — **INFORMATION**

11. **Other Business**

12. **Public Comment**

13. **Adjournment**

ATTACHMENT A: CONSENT CALENDAR ITEMS

File No. PPC-001-98. Odors in the Hunters Point/Bayview Neighborhood.

WHEREAS, the neighborhoods adjacent to the Southeast Wastewater Treatment Facility are exposed to the noxious odors generated by the treatment plant;

WHEREAS, a bond measure was passed in 1994 and $ 5 million was allocated to the repair of San Francisco's Southeast Wastewater Treatment Facility's sewage digesters;

WHEREAS, the wastewater program has determined that the bulk of these odors is caused by the plant's sewage digesters; and

WHEREAS, the solution of this problem is long overdue; be it, therefore

RESOLVED, that the Commission on the Environment urges the San Francisco Public Utilities Commission to address the odor problems connected with the Southeast Wastewater Treatment Facility as soon as possible including the repair of the sewage digesters.

File No. PPC-002-98. Traffic Problems Engendered by the Proposed 49er Stadium/Mall.

WHEREAS, it has been reported that the new 49ers stadium and mall will be automobile-dependent;

WHEREAS, the general public is concerned about access to the stadium/mall and traffic concerns;

WHEREAS, parking is planned for the part of Candlestick Point Recreation Area that is also the planned site of a wetlands; and

WHEREAS, increased auto traffic may adversely impact public recreational values, including open space usage, bicycling, recreational and pedestrian activities; and

WHEREAS, auto-dependency of this project is in conflict with San Francisco's transit first policy, as set forth in the city's General Plan; and

WHEREAS, the neighborhoods adjacent to the proposed stadium/mall are already over-burdened by traffic on game days, thereby adversely affecting the quality of life in these neighborhoods; and

WHEREAS, the traffic in the U.S. 101 corridor is currently heavy and expected to increase; therefore, be it

RESOLVED, that the Commission on the Environment urges the City and County of San Francisco and the stadium/mall developers to develop a plan to address these problems which would include environmentally sound sustainable solutions.

File No. PPC-003-98. Alternative Wastewater Analyses.

WHEREAS, the combined new developments along the San Francisco Bay front present a major opportunity for wastewater treatment planning; and

WHEREAS, the Bayview-Hunters Point community has been disproportionately adversely affected by the presence of the Southeast wastewater treatment facility in its neighborhood; and

WHEREAS, alternative wastewater treatment is addressed by Board of Supervisors resolutions and the Sustainability Plan as adopted by the Board on July 25, 1997; and

WHEREAS, the combined planned new developments on the San Francisco Bay front will be done by private developers and by the City and County of San Francisco; be it therefore

RESOLVED, that the Commission on the Environment urges the San Francisco Public Utilities Commission to work with the developers and other appropriate agencies in preparing a comprehensive evaluation of feasible and sustainable alternatives for wastewater treatment and re-use in a timely manner, and be it

FURTHER RESOLVED, that the San Francisco Public Utilities Commission and the developers engage the services of an appropriate independent consultant to assist in preparing the evaluation of these alternatives.

File No. PPC-004-98. Additional Language in IPM Regulations for Emergency Exemption Authorization.

RESOLVED, that the Integrated Pest Management Program Regulations be amended and incorporated with additional language as follows (amendment and additional language are underlined):

§1.7 Emergencies
(a) In the case of an emergency, departments may apply <u>for dispensation to use a banned chemical</u>, using the standard form and stating the emergency circumstances directly to the Department of the Environment. The department director has been delegated the authority by the Commission on the Environment to grant exemptions in the case of emergency.
(b) Determination of whether an emergency exists is at the discretion of the department. (Please note that emergencies, by their very nature, should be rare. The heart of an IPM program is monitoring pest populations and setting threshold damage levels so that a deliberate course of pest management can be undertaken.)

<u>(c) **Absence of those Authorized to Grant Emergency Exemptions:** Emergency exemptions to posting requirements are the responsibility of the County Agricultural Commissioner. In the event of his or her absence from the office for one or more days, he or she shall delegate the authority to consider and grant emergency posting exemptions to the IPM Program Coordinator in the Department of Agriculture. Should this individual not be available for one or more days during the absence of the Agricultural Commissioner, the Department of Agriculture shall notify the Director of the Department of the Environment, who shall be authorized to grant emergency posting exemptions until the return of an authorized party in the Department of Agriculture.</u>

<u>Should the Director of the Department of the Environment be absent for one or more days, authority for the granting of emergency pesticide use exemptions shall be delegated to the IPM Program Coordinator in the Department of the Environment. Should this individual not be available for one or more days during the absence of the Director of the Department of the Environment, the Department of the Environment shall notify the Agricultural Commissioner, who shall be authorized to grant emergency pesticide use exemptions until the return of an authorized party to the Department of the Environment.</u>

File No. POEC-001-98 Public Outreach, Education & Media Plan.

A. Promoting & Publicizing Commission Activities

Currently Underway:

1. Preparation and regular release of Commission meeting announcements to the news media for posting and publication (including EcoNet News, GreenClips, etc.).

2. Regular release of Commission meeting announcements to environmental and community organizations.

3. Promote and publicize the hearing topics of regular Commission meetings via media advisories.

4. Issue news releases about selected hearing topics based on interest and relevance; Timely preparation and dissemination of news releases publicizing the actions (e.g. resolutions) of the Commission.

5. Promoting and publicizing Commission sponsored events:

    a. Integrated Pest Management Ordinance 1st anniversary
    b. Transportation Summits
        - Human-powered summit
        - Vehicle summit
    c. Environmental Summit
        - Mayoral briefing with top environmentalists
        - Small public conference during Earth Week.

B) Outreach on the Department's Activities

Currently Underway

1. Timely preparation and dissemination of announcements, news releases, and other promotional materials publicizing the activities, programs, and projects of the Department of the Environment.

2. Write, produce and disseminate fact sheets highlighting the programs/projects of the Department of the Environment,

    a. Integrated Pest Management program (pesticides)
    b. Sustainability Plan, process, and potential implementation
    c. *Guide to Environmental Services (in editorial review, funding for printing pending)*
    d. Principles of Sustainable Economic Development
    e. Air Quality
    f. Biodiversity
    g. Environmental Justice

The fact sheets would be in two parts: general conceptual overview and specific delineation of program/project activities or issues facing the public with informative phone numbers. These materials could be on display at the environment department's office, the environmental center of the Main Library, schools and colleges, other organizations, and on the web sites of the department and other organizations.

Not Currently Underway:

Write, produce and disseminate fact sheets highlighting the programs/projects of the Department of the Environment:

h. Resource efficiency (green building guidelines & legislation)
i. Transportation
   City's Transit First policy
   Parking Garages
j. Brownfields
k. Toxics & Hazardous Materials
l. Open Space & Parks
m. Environmental State of the City report (in pre-planning stage)

3. Departmental participation in various public events, such as environmental fairs, street fairs, conferences, great sweeps, Earth Day, etc.

4. Create a Department logo (may be merged with Commission project) to raise the departmental profile.

5. Continue development of our presence on and linkages to various internet web sites such as these four addresses: *www.ci.sf.ca.us/environment* (our municipal website), *www.globalcities.org* (where the city's IPM program has a site under construction), *www.igc.org/sustainable* (the website of Sustainable San Francisco, a project of the Tides Center, which also contains the out-dated first edition of the *Sustainability Plan),* and *www.lumiere.net/home* (where Kevin Shrieve has donated a web site called Reinhabiting Home devoted to exploring the Sustainability Plan via an archived, searchable e-mail discussion forum accessible through terminals in all branches of the public library).

   We would also want to be linked to such search engines as Alta Vista, Yahoo, Infoseek, and such "cyberguides" as *www.CitySearch7.com,* zSan Francisco (*www.zpub.com/sf*), sanfrancisco.sidewalk, the Gate eGuide (Examiner-Chronicle's *www.sfgate.com*), Yahoo-San Francisco Bay Area, Excite Travel: San Francisco, California, etc.

6. Publish a quarterly newsletter that can also be posted on our municipal website.

Media/Public Relations Coordination

Currently Underway:

3. Cultivate public relations, advertising, and media organizations/consultants for *pro bono* work and advice for the Commission and the Department.

Not Underway:

1. Plan, produce and place newspaper, newsletter, and magazine articles and/or opinion pieces on selected topics.

   (We still have a commitment from the *Examiner* for an op-ed piece on sustainability, or, for that matter, any environmental topic we choose, so long as we write it brilliantly. Additionally, George Will's recent column attacking the Sustainability Plan that appeared in the San Francisco Chronicle, Los Angeles Times, and Washington Post, has created an opportunity for us to place a counter-column in those publications under the doctrine of fairness.)

2. Create a *pro bono* media quick-strike force (of writers) capable of launching immediate counter-attacks upon those who attack the environment commission and/or its department.

4. Plan and organize promotional opportunities.

D) Fostering Partnerships and Involving Communities' Participation

Currently Underway:

4. Establish an internship program.

2. Establish a component of the YouthWorks program (a paid, school-credits career mentoring collaborative project of the Mayor's Office, San Francisco Unified School District, City College, San Francisco State University, Mayor's Youth Employment and Education Project, and New Ways Workers). YouthWorks intern Ms. Liza Kachko started December 29, 1997.

Priority Wish List:

1. Conduct periodic Commission meetings in various neighborhoods of the city with attendant promotion and publicity and assistance (perhaps co-sponsorship by a community-based group).

3. Establish a volunteers program.

7. Participate in and co-sponsor environmental events, conferences, fairs, clean-up drives with other groups.

   For example, Commissioner Eng had proposed continuing to work with the Environmental Justice (EJ) Working Group in conducting a series of environmental special events, called "Community Profiles," which would be hosted by and conducted in the city's diverse communities and may offer "hands-on" environment-related activities, such as a community gardening experience and interactive exhibits.

Not Underway:

5. Contact and coordinate linkages with other city commissions and departments to develop cooperative, collaborative environmental projects and to explore ways we can mutually promote each other. (For example, the news conference marking the one-year anniversary of the IPM Ordinance that featured DOE, Department of Agriculture, Recreation and Park Department and other members of the IPM Technical Working Group.)

6. Contact and develop linkages with other environmental and community-based organizations to discuss how the public may support or assist the Commission on the Environment in achieving its goals and fulfilling its mission.

7. Plan and produce presentations for schools, colleges, volunteer organizations, and other groups.

E. Fact Sheet Development Procedure

1. Select and rank order topics to be written and produced.
2. Review existing materials from other sources.
3. Decide what materials should be produced.
4. Initial drafts of materials would be done by department staff with the help of commissioners and outside experts and then circulated to the full Commission for review.

5. Final drafts of materials should be reviewed and approved by the department director and the commission president.

ATTACHMENT B: REGULAR CALENDAR ITEMS

Following are the Chemical Exemption Request summaries and Department of the Environment recommendations.

EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	**Bob Fiorello: IPM Coordinator** **Ph: 831-2739 Fax: 221-8034**	**January 12, 1998**
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		**One Year**

Request for Chemical Exemption

Chemical	Use
Avid 0.15 EC **(WARNING LABEL)** EPA REG # 618-96-AA	**Primarily for the management of spider mites and to some extent insects in greenhouses and nurseries**

Summarize Unsuccessful Search for Alternatives

SFRPD Has Searched for Less-Toxic Alternatives and has determined that *a number of pesticides are labeled for the control of spider mites. This includes reduced-risk pesticides such as insecticidal soap and narrow range oils such as Ultra Fine Sun Spray. Some predatory mites may also be effective biological control agents against pest spider mite species under certain climatic conditions.*

As a Result of this Search, SFRPD has determined that *oils and soaps are not compatible with the automated fogger typically used to treat sections of greenhouses. The use of oils and soaps may result in plant phytotoxicity on some sensitive plant species as well especially with repeated use. These materials are useful for spot treating a number of greenhouse pests including spider mites to provide a quick knockdown and are typically used in this fashion. The use of predatory mites to manage pest mites has been tried in the past with limited success. SFRPD intends to re-establish biological controls for greenhouse pests in 1998. The Department wishes to retain the use of Avid as a last resort measure for the control of two-spotted spider mites, other mite pests, and certain insect pests. The Department uses less than one quart of this product per year.*

SFRPD Plans to Continue this Search by *consulting with the University of California Extension Service and others to find alternatives to Avid.*

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

Send to the Department of the Environment: 1540 Market Street, Suite 160, SF, 94102

TO: Commission on the Environment
FROM: Albert Hom, IPM Coordinator
RE: Staff Recommendation on Request for Exemption to Pesticide Ban
DATE: 1/14/98

Department: Recreation & Park Department
Chemical: Avid 0.15 EC
Banned: Toxicity Category II Pesticides: Under Section 39.4 of the San Francisco Integrated Pest Management Ordinance, all Toxicity Category II pesticides are banned from usage effective January 1, 1998. These pesticides carry a WARNING label.

Use: Insecticide use for management of spider mites and other greenhouse insect pests

Recommendation: Approve

According to the Integrated Pest Management Program Ordinance, the Commission will approve requests for exemption if the department has:

1. Made a good-faith effort to find alternatives to the banned pesticide.

Department has identified and tried alternative products for controlling spider mites including insecticidal soaps, horticultural oils, and predatory mites. However, insecticidal soaps and oils can cause phytotoxicity problems on plants, and predatory mite release is an art rather than a science. More staff training is required to obtain optimal results with biocontrol agent releases. Nevertheless, I suggest trying different predatory mite species including *Amblyseius californicus, A. cucumeris, A. fallacis*, and *Phytoseiulus persimilis*. Cultural techniques such as elevating the humidity in greenhouses may help lower the mite population.

2. Demonstrated that effective, economic alternatives to the banned pesticide do not exist for the particular use.

According to Dr. Rick Redak, (Entomologist, U.C. Riverside) aside from predatory mite releases, there are limited cultural and physical options available for controlling spider mites in greenhouses at this time. Avid is a relatively safe and effective insecticide that fits well within an IPM approach in the greenhouse environment.

3. Developed a reasonable plan for investigating alternatives to the banned pesticide during the exemption period.

The Department meets the criteria for planning with its stated intent to consult with the University of California Extension Service to seek for alternatives to Avid.
The IPM Coordinator recommends the Department re-examine their predatory mite release practices. The Department should contact Drs. Lyndon Hawkins, and Mary Louise Flint at U.C. Davis, and Dr. Rick Redak at U.C. Riverside for advice, training and updated field results with predatory mites releases.

EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	**Bob Fiorello: IPM Coordinator** **Ph: 831-2739 Fax: 221-8034**	**January 12, 1998**
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		**One Year**

Request for Chemical Exemption

Chemical	Use
Banvel Herbicide CATEGORY 2 (WARNING) EPA REG # 55947-1-AA	**Herbicide used for the control of English Daisy and other broadleaf weeds on golf courses and Bermudagrass sports turf.**

Summarize Unsuccessful Search for Alternatives

SFRPD Has Searched for Less-Toxic Alternatives and has determined that *herbicides are needed as part of an IPM approach to manage English daisies and other weeds on golf tees and fairways, greens, and certain athletic fields. Other herbicides, such as Trimec, previously used or considered for broadleaf weed management are banned by Chapter 39 due to links to cancer and/or reproductive harm. Turflon Ester, which carries a CAUTION label and is Chapter 39 compliant, has been tried but has been shown to be significantly less effective and more costly than Banvel for treating daisies on golf courses. Turflon is useful for spot treating a variety of broadleaf weeds in athletic fields but the product damages warm season grasses such as Bermudagrass in use at prominent facilities such as the Polo Fields in Golden Gate Park.*

As a Result of this Search, SFRPD has determined that *an exemption for the herbicide Banvel will be necessary so that the Department may continue to address the English Daisy problem at the City's municipal golf courses with a multi-faceted approach. Spring and fall applications of Banvel to golf fairways will be augmented with increased levels of fertilization, aeration, and overseeding in an effort to substantially reduce the level of daisies and other weeds. This aggressive program may reduce the problem to the point where hand weeding and other non-chemical methods can potentially replace the use of herbicides for this purpose. Banvel has not been used on an SFRPD athletic field since Chapter 39 was initially adopted but may be needed at some point in the future as the Department continues to expand the use of Bermudagrass sod in renovating athletic fields*

SFRPD Plans to Continue this Search for alternatives by *developing a Golf Course IPM Implementation Plan with the assistance of the Public Utilities Commission and the Bio-Integral Resource Center during the spring and summer of 1998. The plan will contain elements that will be extended to athletic field management. SFRPD has conducted prolonged hand weeding projects with varying levels of success at the Polo Fields, Kezar Stadium, and other sites and will continue to refine this practice.*

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

Send to the Department of the Environment: 1540 Market Street, Suite 160, SF, 94102

TO:	Commission on the Environment
FROM:	Albert Hom, IPM Coordinator
RE:	Staff Recommendation on Request for Exemption to Pesticide Ban
DATE:	1/14/98

Department:	Recreation & Park Department
Chemical:	Banvel
Banned:	Toxicity Category II Pesticides: Under Section 39.4 of the San Francisco Integrated Pest Management Ordinance, all Toxicity Category II pesticides are banned from usage effective January1, 1998. These pesticides carry a WARNING label.
Use:	Herbicide used for controlling English Daisy and other broad-leaf weeds

Recommendation: Approve

According to the Integrated Pest Management Program Ordinance, the Commission will approve requests for exemption if the department has:

1. Made a good-faith effort to find alternatives to the banned pesticide.

The Department has made efforts to look at alternative products such as Turflon Ester; however, this product has been shown to be harmful to warm-season grasses such Bermuda grass. Cultural options include handpicking and or replacing the turf.

2. Demonstrated that effective, economic alternatives to the banned pesticide do not exist for the particular use.

According to Dr. Cudley (Horticultural Weed Specialist, U.C. Riverside), Banvel is the most commonly used herbicide labeled for controlling English Daisy on golf courses. He said that while there are several herbicides that are currently in research and field trial phases, these products will not likely to be available or approved until 2003.

3. Developed a reasonable plan for investigating alternatives to the banned pesticide during the exemption period.

The Department is working with Bio Integral Resource Center and the Public Utilities commission on developing a Golf Course IPM Plan this year.

EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	**Bob Fiorello: IPM Coordinator** **Ph: 831-2739 Fax: 221-8034**	**February 2, 1998**
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		**One Year**

Request for Chemical Exemption

Chemical	Use
CIBA-GEIGY SUBDUE 2E EPA REG # 100-619 CATEGORY 2 (WARNING)	A fungicide containing the active ingredient ***Metalaxyl*** that is highly effective in controlling root and stem rot diseases of turf and ornamentals. Used occasionally to treat turf infected with Pythium fungi and in nursery operations to water mold diseases.

Summarize Unsuccessful Search for Alternatives

SFRPD Has Searched for Less-Toxic Alternatives *and has determined that the two most widely used chemicals used to treat Pythium fungi are metalaxyl and fosetyl-al, the active ingredient found in the fungicide Aliette. Both products are very effective and are often tank mixed by professional pest managers. Aliette was identified by the USEPA as a suspected carcinogen in 1996 and is banned by Chapter 39. The USEPA considers metalaxyl to be non-carcinogenic. Metalaxyl does not appear on the Prop 65 list either.*

SFRPD has also determined that a number of new least-toxic microbial fungicides are beginning to become commercially available to treat root and stem rot fungi. However microbial products such as SoilGard 12G (which contains the beneficial fungus Gliocladium virens) are generally labeled for media incorporation to ***prevent*** *soil borne diseases in nursery and greenhouse settings. One product, Bio-Trek contains the T-22 strain of the beneficial fungus Trichoderma harzianum. This product is labeled for turf and is promoted as alternative to conventional fungicides. It too must be applied as a preventative measure and works best with high soil temperatures that are not endemic to the San Francisco.*

As a Result of this Search, SFRPD has determined that *products such as Bio-Trek are definitely worth trying and are likely to be incorporated into this year's golf IPM project collaboration with the Bio-Integral Research Center (BIRC). Bio-Trek's manufacturer claims its use is compatible with Subdue applications as well. Like wise products such as Soil Guard and Root Shield (Trichoderma) will be tested in the Department's nursery operations. SFRPD is also awaiting expanded California labeling for Heritage fungicide which is currently registered for use on golf courses and sod farms only. Heritage was tested at City golf courses this past fall with excellent results and may prove to be an effective alternative to Subdue.*

Despite these potential alternatives, the Department recognizes that curative fungicides may be needed as a last resort to control soil borne diseases of turf and ornamentals. Heavy rainfall coupled with warm temperatures this spring may lead to significant Pythium disease problems at SFRPD golf courses,3 COM Park and other highly managed athletic facilities. Subdue has been used successfully in the past to provide adequate control at such sites-often with one application.

SFRPD Plans to Continue this Search by *keeping abreast of the changing field of plant disease management and incorporating new products, techniques, and technologies into its IPM Program. The IPM project with BIRC should provide the Department with a useful experience to build upon in terms of managing plant pathogens as well.*

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

TO:	Commission on the Environment
FROM:	Albert Hom, IPM Coordinator
RE:	Staff Recommendation on Request for Exemption to Pesticide Ban
DATE:	2/3/98

Department:	Recreation & Park Department
Chemical:	Ciba-Geigy SUBDUE, EPA # 100-619
Banned:	Toxicity Category II Pesticides: Under Section 39.4 of the San Francisco Integrated Pest Management Ordinance, all Toxicity Category II pesticides are banned from usage effective January1, 1998. These pesticides carry a WARNING label.
Use:	A fungicide containing the active ingredient Metalaxyl that is use for controlling Pythium root and stem rot diseases of turf and ornamentals.

Recommendation: Approve

According to the Integrated Pest Management Program Ordinance, the Commission will approve requests for exemption if the department has:

1. Made a good-faith effort to find alternatives to the banned pesticide.

The Department has made efforts to look at alternative fungicidal products including two microbial formulations, SoilGard 12G and Bio-Trek. Microbials protect turf from fungal pathogens by a combination of nutrient competition, antibiotic production and hyperparasitism. These two products appear to hold promises and will be evaluated in the department's collaborative IPM project with the Bio Integral Resource Center this year. There are limited cultural and physical methods that can be deployed in maintaining a blemish-free golf course.

2. Demonstrated that effective, economic alternatives to the banned pesticide do not exist for the particular use.

While the microbial products appear to be viable least-toxic alternatives to control soil pathogens; however, they are recommended to be incorporated into the soil as a fungal preventative early in the growing season. Therefore, they can not be used for spot-treatments or as a curative as fungal diseases appear. In addition, the microbial organism in Bio-Trek works best at high soil temperatures, which may be not adaptable to the cooler temperatures in San Francisco. According to Dr. Bob Raabe, Plant Pathologist at U.C. Berkeley, he has conducted greenhouse and field trials with the microbials and found that they were ineffective in open fields because of their inability to colonize. These organisms were out-competed by other aggressive soil organisms.
Later this year, Ciba-Geigy will introduce SUBDUE MAXX with an analog metalaxyl. The manufacturer claim that the new analog product will provide effective fungal control at a lower dosage: 0.5 fluid ounces versus 1 fluid ounce.

3. Developed a reasonable plan for investigating alternatives to the banned pesticide during the exemption period.

The Department is working with Bio Integral Resource Center on developing a Golf Course IPM Plan this year. They will evaluate alternative products, techniques, and technologies to manage turf diseases.

EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	**Bob Fiorello: IPM Coordinator** **Ph: 831-2739 Fax: 221-8034**	**January 12, 1998**
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		**One Year**

Request for Chemical Exemption

Chemical	Use
Hydramethylnon	**Active ingredient found in ant and cockroach baits**

Summarize Unsuccessful Search for Alternatives

SFRPD Has Searched for Less-Toxic Alternatives and has determined that *there are other ant and cockroach baits available that do not include active ingredients that are considered by the EPA to be potential carcinogens. These include Whitmire's "Avert" product line which employs the active ingredient abamectin and other products that contain boric acid, sulfuramid, and other active ingredients.*

As a Result of this Search, SFRPD has determined that *the Avert products are considered to be very effective in controlling cockroaches and SFRPD intends to purchase Avert tamper-resistant bait stations and Avert pressurized gel dispensers for this purpose. These products will be included in the City's upcoming pesticide contract bidding process. SFRPD has also determined that commercially available ant baits that employ boric acid typically contain five percent or higher active ingredient. New research suggests that such products may repel ants rather than effectively control them. SFRPD is currently using ant baits that contain boric acid or sulfuramid with only limited success.*

The hydramethylnon products Maxforce and Combat used to control ants and cockroaches respectively have worked well for SFRPD in the past. They contain 1.0% active ingredient and are applied either as crack and crevice treatments, as granular baits, or in small tamper-resistant bait stations and do not pose any real risk to human health since actual exposure to the pesticide in these products is a remote possibility. SFRPD would like to resume the use of hydramethylnon products in addition to and conjunction with abamectin, boric acid, sulfuramid, and other potential baits that comply with Chapter 39. An exemption for hydramethylnon will provide the Department with a more complete bait arsenal that will increase the potential for bait acceptance by often finicky ants and cockroaches. Vendors who provide IPM services for various City structures have also indicated the need for this exemption.

SFRPD will continue to seek out *new IPM methods and technologies to support least toxic ant and cockroach controls at facilities it manages throughout San Francisco. The Department will also continue to experiment with boric acid and diatamacous earth products that are appropriately labeled and registered for commercial use and will seek an Experimental Use Permit from the State to manufacture and use its own 0.5% boric acid bait for ant management purposes.*

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

Send to the Department of the Environment: 1540 Market Street, Suite 160, SF, 94102

TO:	Commission on the Environment
FROM:	Albert Hom, IPM Coordinator
RE:	Staff Recommendation on Request for Exemption to Pesticide Ban
DATE:	1/14/98

Department:	Recreation & Park Department
Chemical:	Hyramethylnon
Banned:	Toxicity Category II Pesticides: Under Section 39.4 of the San Francisco Integrated Pest Management Ordinance, all Toxicity Category II pesticides are banned from usage effective January 1, 1998. These pesticides carry a WARNING label.
Use:	Active ingredient found in ant and cockroach baits

Recommendation: Approve

According to the Integrated Pest Management Program Ordinance, the Commission will approve requests for exemption if the department has:

1. Made a good-faith effort to find alternatives to the banned pesticide.

The Department has identified and tried alternative products including boric acid, diatomaceous earth, and abamectin-based baits. The Department plans to purchase abamectin gel based stations for evaluations when they become available.

2. Demonstrated that effective, economic alternatives to the banned pesticide do not exist for the particular use.

According to Art Slater (IPM Specialist, U. C. Berkeley), hydramethylnon has several advantages over other commercial cockroach bait formulations: 1) they can be purchased both by the general public and Pest Control Operators, 2) it comes in both granular and gel formulations, 3) can be deployed in food preparation areas, and 4) German cockroaches have not demonstrated repellent behaviors with hydramethylnon as compared to boric acid baits. Two biological based bait stations with the entomopathogenic nematodes (*Steinernema* spp.) and a fungal pathogen, *Metarhizium anisopliae*, have been shown to be unreliable and have limited distribution channels. A parasitic wasp for brown-banded cockroach, though effective, but has limited potential and acceptance in office environments. Thus, hydramethylnon bait stations should be retained, as a backup for cockroach and ant controls until a better product becomes available.

3. Developed a reasonable plan for investigating alternatives to the banned pesticide during the exemption period.

The Department will continue to evaluate other less-toxic compounds such as boric acid and diatomaceous earth, and will experiment with different boric acid and sugar formulations to increase the effectiveness and attractiveness to ants and cockroaches.

EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	**Bob Fiorello: IPM Coordinator** **Ph: 831-2739 Fax: 221-8034**	**January 12, 1998**
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		**One Year**

Request for Chemical Exemption

Chemical	Use
MPede **EPA REG #53219-6** **Category 2 (WARNING)**	**Insecticidal Soap used as an insecticide and fungicide**

Summarize Unsuccessful Search for Alternatives

SFRPD Has Searched for Less-Toxic Alternatives and has determined that *Mpede is the industry standard commercial version of Safer Soap and that there is no registered alternative to Mpede in California with a label appropriate for use by a government agency such as the Recreation and Park Department. The product was formerly CAUTION labelled but was reclassified as a Category 2 pesticide last year.*

As a Result of this Search, SFRPD has determined that *an exemption is needed to permit the use of this insecticidal and fungicidal soap product.*

SFRPD Plans to Continue to search for *a similar soap product with a CAUTION label that is registered with the state as a pesticide and is labeled for commercial use on ornamental plants and nursery stock.*

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

Send to the Department of the Environment: 1540 Market Street, Suite 160, SF, 94102

TO:	Commission on the Environment
FROM:	Albert Hom, IPM Coordinator
RE:	Staff Recommendation on Request for Exemption to Pesticide Ban
DATE:	1/14/98

Department:	Recreation & Park Department
Chemical:	Mycogen M-Pede
Banned:	Toxicity Category II Pesticides: Under Section 39.4 of the San Francisco Integrated Pest Management Ordinance, all Toxicity Category II pesticides are banned from usage effective January 1, 1998. These pesticides carry a WARNING label.
Use:	Insecticidal soap used as an insecticide and fungicide

Recommendation: Approve

According to the IPM Management Program ordinance, the Commission will approve requests for exemption if the department has:

1. Made a good-faith effort to find alternatives to the banned pesticide.

Although there are other fatty-acid based insecticidal soaps available, such as ACT-92 and Concern, they have not been proven to be as effective, or as readily available as M-Pede, or they have a broader target pest list.

2. Demonstrated that effective, economic alternatives to the banned pesticide do not exist for the particular use.

M-Pede is the industry standard commercial version of Safer Soap. According to Dr. Mary Louise Flint (IPM Specialist, U.C. Davis) M-Pede is one of the safer and more effective products and should be retained as a reduced–risk chemical tool in an IPM program.

3. Developed a reasonable plan for investigating alternatives to the banned pesticide during the exemption period.

The Department is searching and testing similar soap products labeled for use on ornamental and nursery stock.

EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	**Bob Fiorello: IPM Coordinator** **Ph: 831-2739 Fax: 221-8034**	**January 12, 1998**
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		**One Year**

Request for Chemical Exemption

Chemical	Use
Myclobutonil	**Active ingredient in Eagle (EPA #707-232) and Systhane (EPA # 707-253) Fungicides. Both are Category 2 (WARNING LABELED) pesticides.**

Summarize Unsuccessful Search for Alternatives

SFRPD Has Searched for Less-Toxic Alternatives and has determined that *a number of fungicides that are labeled for turf and ornamentals contain ingredients that are potential, suspected, or known carcinogens and/or are linked to reproductive toxicity. Such products have been banned by Chapter 39 and are no longer used with the exception of PCNB in which an exemption has already been granted. SFRPD has used and evaluated four "new" compliant fungicides in 1997 including Eagle.*

As a Result of this Search, SFRPD has determined that *The fungicides Eagle and Systhane both contain the active ingredient myclobutanil and both are category two pesticides that carry a WARNING label. These two products however are considered by the USEPA as non-carcinogenic and do not appear on the Proposition 65 List. Eagle was tested on SFRPD golf courses this past year with favorable results. Furthermore, the State recently identified the Golden Gate Park Nursery as a source of Chrysanthemum white rust innoculum and has required that all subsequent mum cuttings rooted at the nursery are treated with Systhane fungicide as part of a mandatory quarantine program. The Department also believes from recent investigations that Systhane may prove to be a suitable replacement for other banned fungicides previously used in the Department's nurseries and in the Golden Gate Park Rose Garden to manage Black Spot Disease.*

SFRPD Plans to Continue this Search by *actively investigating the potential of other fungicides that fully comply with Chapter 39 and are compatible with IPM methods. There is no alternative to using Systhane for dipping mum cuttings in accordance with the State quarantine. Information pertaining to the quarantine is available from the San Francisco Department of Agriculture.*

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted	

TO:	Commission on the Environment
FROM:	Albert Hom, IPM Coordinator
RE:	Staff Recommendation on Request for Exemption to Pesticide Ban
DATE:	1/14/98

Department:	Recreation & Park Department
Chemical:	Myclobutonil (Systhane, EPA #707-232)
Banned:	Toxicity Category II Pesticides: Under Section 39.4 of the San Francisco Integrated Pest Management Ordinance, all Toxicity Category II pesticides are banned from usage effective January 1, 1998. The pesticides carry a WARNING label.
Use:	Fungicide used for controlling chrysanthemum white rust in chrysanthemum cuttings

Recommendation: Approve

An emergency exemption for the use of Systhane has been granted for the period of 1/14/98-2/10/98.

According to the Integrated Pest Management Program Ordinance, the Commission will approve requests for exemption if the department has:

1. Made a good-faith effort to find alternatives to the banned pesticide.

The Department has made efforts to look at alternative products but Systhane and Eagle are the only two fungicides approved by the California Department of Agriculture for treating chrysanthemum cuttings against white rust.

2. Demonstrated that effective, economic alternatives to the banned pesticide do not exist for the particular use.

The California Department of Agriculture has now required that all chrysanthemum cuttings at the Golden Gate Park nurseries be treated with Systhane fungicide as part of a mandatory quarantine program.

3. Developed a reasonable plan for investigating alternatives to the banned pesticide during the exemption period.

The Department must continue to use Systhane fungicide until the state quarantine is lifted or it is able to demonstrate chrysanthemum white rust has been eliminated. Meanwhile, the Department is searching for viable alternatives for this fungicide.

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

Draft Minutes of Regular Meeting
February 10, 1998

1. **Call to Order and Roll Call.** The meeting was called to order by President Vietor at 6:05 p.m. Present were Commissioners Eng, Evans, Krefting, Okamoto, and Richardson. Commissioner Russell was absent with an excuse.

2. **Minutes of Previous Regular Meeting of January 13, 1998** were unanimously approved upon motion by Commissioner Richardson.

3. **Consent Calendar** – (see Attachment A)

   Commissioner Krefting moved to refer File No. PPC-002-98 out of the Consent Calendar to Item # 5 on the Regular Calendar. Unanimously approved.

   Commissioner Krefting moved to refer File No. PPC-003-98 out of the Consent Calendar to Item #6 on the Regular Calendar. Unanimously approved.

File No. PPC-001-98	Odors in Bayview/Hunters Point Neighborhood
~~File No. PPC-002-98~~	~~Traffic Problems Engendered by Proposed 49ers Stadium/Mall Project~~
~~File No. PPC-003-98~~	~~Alternative Wastewater Analyses~~
File No. PPC-004-98	Additional Language in IPM Regulations for Emergency Exemption Authorization
File No. POEC-001-98	Public Outreach, Education & Media Plan

   The Consent Calendar, as amended, was unanimously approved, 6-0, upon motion by Commissioner Richardson.

   REGULAR CALENDAR

4. **Chemical Exemption Requests** – Recreation & Park Dept. (See Attachment B)

   Avid 0.15 EC
   Banvel Herbicide
   Ciga-Geigy SUBDUE, EPA #100-619
   Hydramethylnon
   Mpede
   Myclobutonil

   The Commission welcomed the Department's new Integrated Pest Management Program Coordinator, Mr. Al Hom.

   Commissioner Krefting noted that the 1-year exemption requests by the Recreation and Park Department and examined by the IPM Program staff of the Department of the Environment were quite reasonable. At the request of Commissioner Eng, IPM Coordinator Al Hom indicated that objective analysis was used to determine the recommendation for approval of the exemption requests.

   Upon motion by Commissioner Richardson, the above chemical exemption requests were approved unanimously.

5. **File No. PPC-002-98. Traffic Problems Engendered by 49ers Stadium/Mall Project.** Commissioner Krefting commented that since there are plans underway to address various issues, including an environmental impact report, and further discussions with the Mayor's Office and the Planning Department anticipated, it would be prudent to refer this item back to the Planning and Policy Committee for review. President Vietor added that the intent of the resolution is to consider environmental concerns on projects like this. Upon motion by Commissioner Krefting the item was referred to the Planning and Policy Committee by a vote of 6-0.

6. **File No. PPC-003-98. Alternative Wastewater Analyses**. Commissioner Eng moved to amend the item with an additional whereas clause: *WHEREAS, the San Francisco Sustainability Plan calls for the elimination of disproportionate environmental burden and pollution imposed on historically disadvantaged communities and communities of color;* to be inserted between the first whereas clause, "WHEREAS, the combined new development along the San Francisco Bay front present a major opportunity for wastewater treatment planning…;" and the second whereas clause, "WHEREAS, the Bayview-Hunters Point community has been disproportionately adversely affected by the presence of the Southeast wastewater treatment facility in its neighborhood."

   The resolution was approved as amended by a unanimous vote.

7. **Communications – Air Quality Hearing**

   Stuart Cohen, Associate Director of Bay Area Transportation Choices Forum, presented an overview of transportation planning agencies and issues in the San Francisco Bay Area, noting that in 20 years the number of cars on the region's roads will increase by at least 1.7 million vehicles. In answer to Commissioner Richardson's question regarding the region's biggest obstacle to regional action, Mr. Cohen cited the disparate pots of money extant and the unwillingness of counties to change land-use policies.

   Cameron Yee of the Urban Habitat Program (Tides Center), described public transit as the lifeline for San Francisco. He cited road dust generated by cars as a major source of air pollution and emphasized the need to reduce automobile driving as a key to improving air quality.

   Maria Lombardo, senior analyst with the San Francisco County Transportation Authority, reported that San Francisco is the only county in the State with a transit list for state funding. She suggested the Commission support a lobbying effort on behalf of maintaining the flexible use of federal funds in the Intermodal Surface Transportation Efficiency Act (ISTEA) which is up for re-authorization. Flexibility would allow San Francisco to pay for pedestrian, bicycle, and transit projects under ISTEA. Lombardo further suggested the Commission support the recommendations for preserving the role of regional decision-making and public participation and earmarking in the ISTEA re-authorization for the Third Street Light Rail Project's final design, right of way, and construction; Doyle Drive Multimodal Replacement Project construction; Transit Vehicle Global Positioning System/Central control facility; and the Islais Creek bus maintenance facility.

   Richard Lee, senior industrial hygienist with the Department of Public Health, Bureau of Environmental Health Management, noted that his department does not have authority over outdoor air quality but rather over indoor air quality. Mr. Lee said DPH's position on PG&E is that the utility should continue to comply with air quality regulations. Further, Public Health Director Mitchell Katz has not yet taken a position with respect to PG&E's Hunters Point and Potrero power plants (which are up for sale) in San Francisco.

   Kenneth Lim, Ph.D., of the Bay Area Air Quality Management District, which has jurisdiction over outdoor air quality, gave out the following telephone numbers for public complaints: 1-800-334-ODOR and 1-800-EXHAUST (smoking automobile tail pipes, etc.) Dr. Lim identified four PG&E power plants as the principal utility emission polluters in the Bay Area: Pittsburg, Antioch, Hunters Point, and Potrero. In addition, 45.2% of NOx emissions in the region are from cars, motorcycles, and light trucks, while 9.5% of NOx emissions come from electric utilities.

   The District, said Dr. Lim, has several concerns about the de-regulation of the electric utility industry.

One is that there will be a shift in power generation from large, centralized boiler plants to many small, inherently higher polluting sources; another is that potential decreases in prices may increase demand and result in higher pollution levels; a third is a possible de-emphasis of clean technology: that the disposition of boilers will be based on cost first, and less attention paid to environmental impact.

Future actions of the Bay Area Air Quality Management District would include its triennial review of the Air Quality Plan and focusing on cleaners and gas stations, which pose more serious threats to air quality than power plants.

During a public comment period, **Joseph Malkin** of O'Melveny & Myers, a law firm representing PG&E, said a mitigating negative declaration is legally proper and that PG&E believes a full environmental impact report would afford the most public input in the Public Utilities Commission process. He added that PG&E very much recognizes the community's concerns about power plant emissions. **Lisa Gallina,** a member of the public, asked if the Commission could look into whether PG&E must sell to the highest bidder. **James Kelley**, a resident of San Bruno, urged the Commission to look into the potential increase of air pollution caused by the proposed construction of 3 new parking garages for 5,000 cars at a proposed Bay Area Rapid Transit (BART) station in San Bruno.

8. **Finance & Operations Committee Report.** The Committee reviewed a draft proposed budget for Fiscal Year 1998-99 at last evening's special meeting. Upon motion by Committee Chair Steven Krefting, the Commission voted unanimously to convene a special meeting on Tuesday, February 17, 1998 at 6 p.m. to review the proposed budget.

9. **Planning & Policy Committee Report.** The committee's January 15, 1998 meeting was devoted to the drafting of the resolutions on this evening's consent calendar. Committee Chair Rebecca Evans said transportation resolutions will be undertaken at the next meeting, slated for February 19, 1998.

10. **Public Outreach & Education Committee Report.** The committee has directed the department public outreach coordinator to draft a set of news release and public information protocols for consideration at its next meeting, to be announced. Committee Chair Anne Eng said her Golden Gate University Environmental Law Clinic students were working on fact sheets for air quality and urged the department to complete some bilingual fact sheets in time for the 3rd Annual Chinatown Environmental Fair on April 19th.

11. **Director's Report.** Director Magilavy introduced the department's new executive secretary, Nancy Akiko Gibbons, who had previously been the administrative assistant in the corporate headquarters of Papyrus. The director reported that since Mr. Hom has joined the agency, the IPM program has begun to roll and that more exemption requests are expected to be filed and reviewed. With the encouragement of the department, the San Francisco Unified School District has decided to establish an integrated pest management program, becoming the first school district in the state to do so.

The workplan for potential reorganization of the city's environmental agencies has been completed and submitted to the Mayor's Office.

The bulk of the director's time has been spent preparing the FY 1998-99 budget, which was distributed as a separate document. Copies are available at the Department office.

The department is moving on green building legislation again. The director reported that progress has been made since the legislative working group began meeting again in the last month.

Activity in the public outreach sector during January 1998 focused on developing fact sheets, refining the draft Public Outreach, Education, and Media Plan (POEM); cultivating outreach to the city's government and public access cable channels; publicizing the Commission's call for studying the feasibility of purchasing PG&E's Hunters Point and Potrero power plants by the City and County of San Francisco; and developing a news release protocol for the commission and the department. Outreach activities are planned for the 3rd Annual Chinatown Environmental Fair and an Earth Day celebration at Candlestick Point State Recreation Area. The Commission's power plant resolution was

covered by the San Francisco *Chronicle, Examiner, Bay Guardian,* and KCBS Newsradio. The full director's report is available at the Department office.

11.01 – Sustainable Communities Development Forum. Progress on this matter has been hung up pending the Mayor's decision whether to co-sponsor the event. This forum could be scheduled for a morning session and an afternoon devoted to the proposed Mayor's Environmental Briefing.

12. **President's Report.** President Vietor had convened a tour of the Tides Center in the Presidio for Mayor Brown at his request. He was impressed with the operation, and the facility (which exemplified various green building principles) and requested an opportunity for his senior staff to meet there and thereby promote closer ties with the Presidio.

Hearing topics for the next few meetings were designated: Biodiversity, including wetlands for March (which Commissioner Evans will coordinate); Dioxins for April (which President Vietor will coordinate); and Green Business, or sustainable economic development for May (which Commissioner Richardson will coordinate).

Commissioner Richardson suggested that a pamphlet or booklet containing a collection of the information and fact sheets related to the Commission's hearing topics be published for public distribution.

13. **Other Business/Public Comment.** Commissioner Krefting suggested the Commission entertain a resolution concerning such personal watercraft as jet skis and their implications for safety and water pollution (the dumping of fuel into the water). Mr. Krefting also asked whether the Commission should address the de Young Museum's future construction plans, including a parking garage. President Vietor suggested the body wait to see the text of the proposed bond measure to be placed on the June ballot before deciding how to address the issues.

Lisa Gallina, a member of the public, asked if the city ordinance requiring a parking component for every earthquake-retrofit project, applies to housing projects.

14. **Adjournment.** The meeting was adjourned at 8:53 p.m.

ATTACHMENT A: CONSENT CALENDAR ITEMS

File No. PPC-001-98. Odors in the Hunters Point/Bayview Neighborhood.

WHEREAS, the neighborhoods adjacent to the Southeast Wastewater Treatment Facility are exposed to the noxious odors generated by the treatment plant;

WHEREAS, a bond measure was passed in 1994 and $ 5 million was allocated to the repair of San Francisco's Southeast Wastewater Treatment Facility's sewage digesters;

WHEREAS, the wastewater program has determined that the bulk of these odors is caused by the plant's sewage digesters; and

WHEREAS, the solution of this problem is long overdue; be it, therefore

RESOLVED, that the Commission on the Environment urges the San Francisco Public Utilities Commission to address the odor problems connected with the Southeast Wastewater Treatment Facility as soon as possible including the repair of the sewage digesters.

File No. PPC-003-98. Alternative Wastewater Analyses.

WHEREAS, the combined new developments along the San Francisco Bay front present a major opportunity for wastewater treatment planning; and

WHEREAS, the San Francisco Sustainability Plan calls for the elimination of disproportionate environmental burden and pollution imposed on historically disadvantaged communities and communities of color; and

WHEREAS, the Bayview-Hunters Point community has been disproportionately adversely affected by the presence of the Southeast wastewater treatment facility in its neighborhood; and

WHEREAS, alternative wastewater treatment is addressed by Board of Supervisors resolutions and the Sustainability Plan as adopted by the Board on July 25, 1997; and

WHEREAS, the combined planned new developments on the San Francisco Bay front will be done by private developers and by the City and County of San Francisco; be it therefore

RESOLVED, that the Commission on the Environment urges the San Francisco Public Utilities Commission to work with the developers and other appropriate agencies in preparing a comprehensive evaluation of feasible and sustainable alternatives for wastewater treatment and re-use in a timely manner; and be it

FURTHER RESOLVED, that the San Francisco Public Utilities Commission and the developers engage the services of an appropriate independent consultant to assist in preparing the evaluation of these alternatives.

File No. PPC-004-98. Additional Language in IPM Regulations for Emergency Exemption Authorization.

RESOLVED, that the Integrated Pest Management Program Regulations be amended and incorporated with additional language as follows (amendment and additional language are underlined):

§1.7 Emergencies
(a) In the case of an emergency, departments may apply <u>for dispensation to use a banned chemical</u>, using the standard form and stating the emergency circumstances directly to the Department of the Environment. The department director has been delegated the authority by the Commission on the Environment to grant exemptions in the case of emergency.
(b) Determination of whether an emergency exists is at the discretion of the department. (Please note that emergencies, by their very nature, should be rare. The heart of an IPM program is monitoring pest populations and setting threshold damage levels so that a deliberate course of pest management can be undertaken.)

<u>(c) **Absence of those Authorized to Grant Emergency Exemptions:** Emergency exemptions to posting requirements are the responsibility of the County Agricultural Commissioner. In the event of his or her absence from the office for one or more days, he or she shall delegate the authority to consider and grant emergency posting exemptions to the IPM Program Coordinator in the Department of Agriculture. Should this individual not be available for one or more days during the absence of the Agricultural Commissioner, the Department of Agriculture shall notify the Director of the Department of the Environment, who shall be authorized to grant emergency posting exemptions until the return of an authorized party in the Department of Agriculture.</u>

<u>Should the Director of the Department of the Environment be absent for one or more days, authority for the granting of emergency pesticide use exemptions shall be delegated to the IPM Program Coordinator in the Department of the Environment. Should this individual not be available for one or more days during the absence of the Director of the Department of the Environment, the Department of the Environment shall notify the Agricultural Commissioner, who shall be authorized to grant emergency pesticide use exemptions until the return of an authorized party to the Department of the Environment.</u>

File No. **POEC-001-98 Public Outreach, Education & Media Plan.** Copies are at the Commission office.

ATTACHMENT B: REGULAR CALENDAR ITEMS

Copies of the Chemical Exemption Request summaries and Department of the Environment recommendations are available at the Department office.

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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STEVEN KREFTING, VICE PRESIDENT
ANNE LEE ENG
REBECCA EVANS

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LINDA RICHARDSON
CHRISTINE RUSSELL

NOTICE AND AGENDA OF

SPECIAL MEETING

TUESDAY, FEBRUARY 17, 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

SPECIAL SESSION
6: 00 P.M.

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BERYL MAGILAVY
DIRECTOR OF THE DEPARTMENT OF THE ENVIRONMENT

CHRISTOPHER CHOW
COMMISSION SECRETARY

DAVID GREENBURG
DEPUTY CITY ATTORNEY

1540 Market Street, Suite 160, San Francisco, California 94102
Telephone: (415) 554-6390 Fax: 554-6393

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

SPECIAL MEETING

ORDER OF BUSINESS
February 17, 1998
6 p.m.
Room 207, 401 Van Ness Avenue, San Francisco

1. **Call to Order and Roll Call**
2. **Approval of Minutes of Previous Regular Meeting of February 10, 1998** — **ACTION**
3. **Review of FY 1998-99 Budget for Department of the Environment** — **ACTION**
4. **Other Business**
5. **Public Comment**
6. **Adjournment**

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Public Transportation
The closest BART station serving 401 Van Ness Avenue is the Civic Center station.

Accessibility of Meeting Location
The meeting room is accessible by wheelchair. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are the #42 Downtown Loop, #71 Haight/Noriega, the F-line to Market and Van Ness, and the MUNI Metro stations at Van Ness and Market and Civic Center. For more information about MUNI accessible services, please call 923-6142.
There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial complex.
Large print agendas, audio tapes of minutes, sound-enhancement equipment, and other services to aid the visually and hearing-impaired to attend the meeting are available by calling 554-6390.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.
Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

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DRAFT MINUTES OF THE
COMMISSION ON THE ENVIRONMENT
SPECIAL MEETING OF
FEBRUARY 17, 1998

1. **The meeting was called to order at 6:05 p.m. by President Vietor.** Present were Commissioners Eng, Evans, Krefting, Okamoto, and Russell. Commissioner Richardson was absent. Director Magilavy and Secretary Chow were also present.

2. **Approval of the minutes of the previous meeting of February 10, 1998** was deferred until the next regular meeting on March 10, 1998.

3. **FY 1998-99 Budget of the Department of the Environment.** The new fiscal year budget was reviewed in depth.

   Department Director Magilavy presented a revised proposed budget spreadsheet. Under subobject 02700, Professional & Specialized Services, the amount of $104,500 from an earlier proposal was reduced to $ 6,500. This item originally included translation services ($4,500) towards the production of fact sheets, and an outside management analysis of agencies for potential reorganization of environmental functions ($100,000). Upon advice of the Mayor's Office, the costs of the reorganization analysis would be located in the Mayor's Office budget. Therefore $100,000 for an outside management consultant was deleted. An additional $2,000 was added to $4,500 for Chinese language typesetting of translated materials for a total of $6,500.

   $2,000 was added for the San Francisco Youth Works Internship Program, a city-wide program mandated by the Mayor's Office. (Subobject 081M2 under Services of Other Departments).

   Commissioner Eng moved to upgrade the *Public Information program enhancement* from priority 5 to priority 3. Presently, the public outreach and education component of the department is staffed by the commission secretary/public outreach coordinator (75% commission/administrative, 25% public outreach). Because the proposed program enhancement includes no additional funding for additional FTE (enhancement would be achieved by increasing efficiencies in the secretarial function, and raising the allocation of public outreach to 40%) the Commission sought to re-order the priorities.

   Upon hearing from the incumbent commission secretary/public outreach coordinator that even with increased efficiencies in the secretarial functions, the commission secretary position is still a virtually full-time job. Discussion ensued about focusing the two new staff position in two priorities: public outreach and technical support for the Commission and Department projects.

   Discussion manifested the commission's desire for the commission secretary to become more focused on media strategy, outreach, and press liaison activities, and for the new special

assistant to take on more of the public outreach and education functions, specifically with regard to writing and producing fact sheets, updating the *Environmental State of the City Report,* the *Sustainability Plan for the City of San Francisco*, and other publications, as well as distribution of information, volunteer coordination, etc.

Commissioner Krefting's motion to temporarily table the previous motion was carried unanimously.

Commissioner Krefting then moved to delete *Reorganization Assessment program enhancement* from priority 3. Motion carried unanimously. Following discussion, President Vietor suggested that priorities 2 and 4 be collapsed into each other.

Upon motion by Commissioner Krefting, Commissioner Eng's previous motion was unanimously removed from the table and placed on the floor for consideration. Commissioner Eng offered an amendment to combine the *Public Information program enhancement* and the *Ongoing Environmental Assessment program enhancement* into priority 2. Commissioner Krefting offered an amendment to re-title *Public Information program enhancement* as *Public Outreach and Education program enhancement.* The motion, as amended, was carried unanimously.

The resulting department priorities for the proposed budget for FY 1998-99 are as follows:

Priority 1: Operational Effectiveness of the Department of the Environment.

Priority 2: Public Outreach & Education and Ongoing Environmental Assessment (producing and updating the *Environmental State of the City Report,* and the *Sustainability Plan of San Francisco.*

Priority 3: Commission Technical Support / Projects

Commissioner Evans moved to amend line item # 2401 – Membership Fees to $ 1835. Carried 6-0.

Commissioner Evans moved to add a subscription fee for the publication *Race, Poverty, and Environment,* to line item 3571 - Subscriptions. Carried 6-0.

Commissioner Okamoto identified $2,936 in additional funds to be allocated (due to an error on the spreadsheet) and moved $1,000 for reproduction, $1,000 for postage, and $936 for advertising. Carried 6-0.

Commissioner Evans moved to approve the recusal of commissioners with potential conflicts of interests from voting on membership fees or subscription fees with organizations or publications to be identified. Carried 6-0.

Commissioner Evans moved the following membership or subscription fees to be included in the FY 1998-99 budget proposal, yea or nay.

American Institute of Architects:	$150.	Carried 5-0. (Okamoto recused because of membership.)
Bay Area Ridge Trail Council:	$50.	Carried 6-0.
California Native Plant Society:	$50.	Carried 6-0.
Clean Water Action:	$60.	Carried 6-0.
Chinese Progressive Association:	$50.	Carried 6-0.
Communities for a Better Environment:	$50	Carried 5-0. (Eng recused because this organization is her client.)

Earth Island Institute:	$50.	Carried 5-0. (Eng recused as above.)
Friends of the Urban Forest:	$50.	Carried 6-0.
The Garden Project:	$50.	Carried 6-0.
Golden Gate Audobon Society:	$50.	Carried 6-0.
National Resources Defense Council:	$50.	Carried 5-0. (Russell recused because of board membership.)
National Parks and Conservation Association:	$50.	Carried 5-0. (Krefting recused because he is on the staff).
Rainforest Action Network:	$50	Carried 5-0. (Vietor recused because of board membership.)
San Francisco Bicycle Coalition:	$50.	Carried 6-0.
San Francisco League of Urban Gardeners:	$50.	Carried 6-0.
San Francisco Planning and Urban Research:	$500.	Carried 6-0.
San Francisco Zoological Society:	$125.	Carried 6-0.
Sustainable Presidio Alliance:	$250.	Carried 6-0.
Southeast Alliance for Environmental Justice:	$50.	Carried 5-0. (Eng recused because organization is her client.)
Urban Ecology:	$50.	Carried 5-0. (Okamoto recused because he is a board member of the organization.)

Commissioner Evans moved to add membership in the Greenbelt Alliance for $50.
With Commissioner Okamoto recused because he is a board member of the group, motion carried 5-0.

Commissioner Krefting moved the adoption of the budget as amended. Carried 6-0.

President Vietor directed that review of the job description of the commission secretary/public outreach coordinator position be placed on the agenda of the Finance and Operations Committee's next meeting on March 16.

The Commission also requested that Resolution 001-98-COE pertaining to PG&E's Hunters Point and Potrero power plants be forwarded to the Department of City Planning.

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Christopher Chow
Commission Secretary/Public Outreach Coordinator
February 18, 1998

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE LEE ENG
REBECCA EVANS

PAUL OKAMOTO
LINDA RICHARDSON
CHRISTINE RUSSELL

1/10/98

NOTICE OF MEETING AND AGENDA

TUESDAY, MARCH 10, 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

REGULAR SESSION
6: 00 P.M.

COMMISSIONERS

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE L. ENG
REBECCA EVANS
PAUL C. OKAMOTO
LINDA RICHARDSON
CHRISTINE H. RUSSELL

BERYL MAGILAVY
DIRECTOR OF THE DEPARTMENT OF THE ENVIRONMENT

CHRISTOPHER CHOW
COMMISSION SECRETARY

DAVID GREENBURG
DEPUTY CITY ATTORNEY

1540 Market Street, Suite 160, San Francisco, California 94102
Telephone: (415) 554-6390 Fax: 554-6393

ACCESSIBLE MEETING INFORMATION

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In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

Public Transportation
The closest BART station serving 401 Van Ness Avenue is the Civic Center station.
Accessibility of Meeting Location
The meeting room is accessible by wheelchair. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are the #42 Downtown Loop, #71 Haight/Noriega, the F-line to Market and Van Ness, and the MUNI Metro stations at Van Ness and Market and Civic Center. For more information about MUNI accessible services, please call 923-6142.
There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial complex.
Large print agendas, audio tapes of minutes, sound-enhancement equipment, and other services to aid the visually and hearing-impaired to attend the meeting are available by calling 554-6390.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)
Government's duty is to serve the public, reaching its decisions in full view of the public.
Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. Th: ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

ORDER OF BUSINESS
March 10, 1998
6 p.m.
Room 207, 401 Van Ness Avenue, San Francisco

1.	**Call to Order and Roll Call**	
2.	**Approval of Minutes of Previous Regular Meeting of February 10, 1998 and Special Meeting of February 17, 1998.**	**ACTION**
3.	**Consent Calendar –** None.	
	REGULAR CALENDAR	
4.	**Chemical Exemption Requests –** (See Attachments)	**ACTION**
	Recreation & Park Department: Enstar 2 (Insect growth regulator) REWARD (Aquatic herbicide)	
	PUC-Water Department: VIKANE (Fumigant)	
5.	**File No. PPC-009-98 Personal Watercraft Issues Resolution (Safety & Water Pollution)** (See Attachments)	**ACTION**
6.	**File No. PPC-008-98 OpposeWard Valley Nuclear Dump Site Resolution** (See Attachments)	**ACTION**
7.	**Communications – Hearing on Biodiversity –** Commissioner Evans	**INFORMATION**
	Arthur Feinstein, Golden Gate Audobon Society Ruth Gravanis David Graves Pete Halloran, California Native Plant Society Lisa Wayne, SF Recreation & Park Department National Park Service, Golden Gate National Recreation Area San Francisco Open Space Advisory Committee representative	
8.	**Finance & Operations Committee Report**	**INFORMATION**
9.	**Planning & Policy Committee Report**	**INFORMATION**
10.	**Director's Report** (no advance copies) **Sustainable Development Forum**	**INFORMATION**
11.	**President's Report** **Mayor's Environmental Briefing**	**INFORMATION**
12.	**Other Business**	**INFORMATION**
13.	**Public Comment**	
14.	**Adjournment**	

EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
SF-PUC	Robin Breuer 695-7386	2/27/98
IPM Service Provider (If Different from the Department) BioCare, Inc. 75 Executive Ave., Unit 9 Rohnert Park, CA 94928	1-800-799-2273	Length of Time Requested One Time

Request for Chemical Exemption

Chemical	Use
VIKANE, sulfuryl fluoride DowElanco EPA Reg #62719-4 Category 1 (Danger)	To fumigate woodboring insects in wooden artifacts from the Sunol Water Temple detected with sensitive audio equipment

Summarize Unsuccessful Search for Alternatives

SFPUC searched for alternatives to the fumigant VIKANE for treating historic wooden beams containing fragile painted murals. The beams are infested with wood boring insects whose presence was detected during a two week monitoring period using visual inspections, sticky monitoring traps, and audio detection technology.

A search for potential least toxic management methods revealed the following possibilities: heat, freezing, microwave, and electrogun treatments. After investigating the feasibility of each method for use on the wooden beams, all were found to be to risky to the paint layer that makes up the mural. These methods all rely on control techniques which in various ways alter the wooden substrate upon which the paint layer was applied.

As a result of this search, it was determined that at this time, Vikane fumigation is the only feasible treatment method for the timeframe and circumstances of this pest infestation. This fumigant is a highly effective toxic gas which is often used by museum conservation specialists to control wood destroying organisms. The advantage of this material over other fumigants available for conservation work is that it does not leave behind any contaminants which could "off gas" after the fumigated artifacts are properly ventilated and cleared for handling.

The Department plans to continue search by consulting museum conservation specialists for novel treatment ideas, by investigating the potential of injection technology utilizing low toxic borate based materials that would not harm surface ornamentation on beams. Letters from the moving company and Oakland Museum requiring treatment are attached.

Request for Notice Rules Change

Summarize Requested Change ☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

Send to the Department of the Environment: 1540 Market Street, Suite 160, SF, 94102

TO: Commission on the Environment
FROM: Albert Hom, IPM Coordinator
RE: Staff Recommendation on Request for Exemption to Pesticide Ban
DATE: 3/3/98

Department: San Francisco Public Utility Commission

Chemical: VIKANE, sulfuryl fluoride EPE Reg # 62719-4

Banned: Toxicity Category I Pesticides: Under Section 39.3 of the San Francisco Integrated Pest Management Ordinance, all Toxicity Category I pesticides are banned from usage effective January 1, 1997. These pesticides carry a DANGER label.

Use: To fumigate wood-boring insects in historic wooden beams from the Sunol Water Temple.

Recommendation: Approve

According to the Integrated Pest Management Program Ordinance, the Commission will approve requests for exemption if the department has:

1. Made a good-faith effort to find alternatives to the banned pesticide.

The department has identified and considered least-toxic chemical alternative methods to treat drywood termites and wood-boring beetles, including heat, liquid nitrogen, microwave, and electrocution.

2. Demonstrated that effective, economic alternatives to the banned pesticide do not exist for the particular use.

According to Mike Wolfe (entomologist, BioCare Inc.), the least-toxic alternatives were deemed too risky for the following reasons: 1) for heat treatment— the excessive heat may cause contraction or expansion of the fragile wood beams; moreover, the heat may cause peeling and distortion of the painted layers on the beams, 2) for liquid nitrogen treatment—will have similar problems as associated with heat, and may cause significantly greater paint damage, 3) for microwave—scorching can occur if the temperature of wood is not monitored during treatment, 4) for electrocution— require drilling holes into the wood which is neither desired nor feasible, and 5) for CO2 (dry ice) treatment—there weren't any facilities that can accommodate treatments for 30-foot-long beams.

In consultation with Mr. Steve Souje (Ph.D. student and termite specialist, U.C. Berkeley) and Don Reierson (urban entomologist, U.C. Riverside), they both agreed that VIKANE is the best choice under these circumstances for treating the wood-boring pests.

The fumigation would take place in a warehouse under the supervision of a certified fumigation applicator. The warehouse is in a remote area in Sunol. It is locked and inaccessible to the general public.

3. Developed a reasonable plan for investigating alternatives to the banned pesticide during the exemption period.

The department will consult with museum conservation specialists for novel treatment ideas. In addition, the department should enact the following preventive measures after the fumigation:

1) Post-treat wood with TIM-BOR, a borax-based product to protect beams from future attacks;
2) Monitor yearly with acoustic equipment and periodic trappings to detect new infestations; and
3) Install bird netting to prevent pigeons nesting on beams.

EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	**Bob Fiorello: IPM Coordinator** **Ph: 831-2739 Fax: 221-8034**	**February 2, 1998**
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		**One Year**

Request for Chemical Exemption

Chemical	Use
Zeneca **REWARD** EPA REG # Category 2 (WARNING)	Aquatic Herbicide containing the active ingredient **diquat.** Used as a last resort to manage algae and aquatic vegetation.

Summarize Unsuccessful Search for Alternatives

SFRPD Has Searched for Less-Toxic Alternatives and has determined that *there are few registered products in California labeled for aquatic use to control algae and aquatic vegetation. A number of biological based products are available to "neutralize" pond and lake sedimentation in order to reduce the occurrence of algal blooms and aquatic weed growth. Some scientific studies have shown that these products may be effective under certain conditions. A 1994 pilot project conducted in part by San Francisco State University at the Palace of Fine Arts Lagoon failed to "clean up" the lake. A 1995 project in Golden Gate Park was cancelled when the manufacturer of a beneficial bacterial product informed SFRPD that the project would fail due to the excessively high pH of the Park's water supply.*

The Department has utilized the aquatic dye product Aquashade to successfully suppress algae and aquatic weed development at the Palace of Fine Arts Lagoon and Spreckles Lake. Aquashade however is no means a cure-all and is ineffective in shallow waters.

SFRPD is aware of research suggesting that placing barley hay bales in a lake prone to algae blooms may suppress algae formation.

As a Result of this Search, SFRPD has determined that *copper based algaecides such as Cutrine that previously possessed CAUTION labels recently were re-evaluated and now are sold as Category 1 (DANGER LABELED) products. The only other known algaecide available for curative treatments is the WARNING labeled Reward. Reward contains the active ingredient diquat and is not considered to be a potential, suspected, or known carcinogen and is not identified by Proposition 65.*

Reward is also the only non-category-1/non-cancer-linked pesticide known to SFRPD available to treat submersed aquatic vegetation other than the CAUTION labeled Product Sonar. Sonar is not labeled for spot treatments and its high cost is prohibitive for many situations typically encountered by SFRPD.

SFRPD will continue to use dyes as a preventative measure , will experiment with Sonar, barley hay and biological products, and will attempt to purchase a boat equipped for aquatic weed and algae harvesting.

SFRPD Plans to Continue Search by *continuing to consult with the USDA Aquatic Weed Research Station and other aquatic weed experts to find viable alternatives to pesticides to manage lakes and ponds.*

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

TO:	Commission on the Environment
FROM:	Albert Hom, IPM Coordinator
RE:	Staff Recommendation on Request for Exemption to Pesticide Ban
DATE:	2/13/98

Department:	Recreation & Park Department
Chemical:	REWARD
Banned:	Toxicity Category II Pesticides: Under Section 39.4 of the San Francisco Integrated Pest Management Ordinance, all Toxicity Category II pesticides are banned from use effective January1, 1998. These pesticides carry a WARNING label.
Use:	An aquatic herbicide containing the active ingredient diquat use for managing algae and aquatic vegetation.

Recommendation: Approve

According to the Integrated Pest Management Program Ordinance, the Commission will approve requests for exemption if the department has:

1. Made a good-faith effort to find alternatives to the banned pesticide.

The Department has made efforts to search for alternatives but was able only to find similar Class II banned herbicides. Previous attempts with biological-based products and pilot studies were unsuccessful due to the high pH of the water.

2. Demonstrated that effective, economic alternatives to the banned pesticide do not exist for the particular use.

Presently, the department use Aquashade, a dye to suppress algae bloom at the Palace of Fine Arts lagoon. However, this product does not control submerged algae and weeds and will not provide a long-term solution to the problem. According to Dr. Lars Anderson (Aquatic Weed Specialist, USDA/U.C. Davis), REWARD is the safest choice among the available aquatic herbicides--Cutrin Plus and Hydrothol 191. Cutrine Plus, a soluble copper based aquatic herbicide has been re-classified as a Class I herbicide while Hydrothol 191, also a Class II algicide, is more toxic to fish and aquatic invertebrates. The WARNING label on REWARD relates to potential chemical splashes that can cause eye injuries during the mixing and handling stage.

3. Developed a reasonable plan for investigating alternatives to the banned pesticide during the exemption period.

The Department will consult with the USDA Aquatic Weed Research Station to search for viable and economic alternatives and will evaluate using barley hay to suppress aquatic weed emergence along the banks.

The IPM Coordinator has contacted Monterey Chemicals and found a lower copper-based concentrate Cutrine and with only a CAUTION label. It may be worthwhile to evaluate this product.

EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	**Bob Fiorello: IPM Coordinator** **Ph: 831-2739 Fax: 221-8034**	**January 5, 1998**
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		**One Year**

Request for Chemical Exemption

Chemical	Use
Enstar 2 (WARNING LABEL) EPA REG # 55947-82-ZA	**Control of whitefly, scale, mealybug, and other greenhouse pests**

Summarize Unsuccessful Search for Alternatives

SFRPD Has Searched for Less-Toxic Alternatives and has determined that *there is no suitable replacement for the product Enstar 2 as an important IPM tool in managing soft bodied insects in a greenhouse setting. This product mimics a juvenile growth regulator common to specific pests such as whitefly, scale, and mealybug and disrupts the life cycles of these pests without harming non-target organisms including natural enemies used to combat them. Previously this material which contains the active ingredient kinoprene was available in a formulation that carried a CAUTION label. However that formulation, Enstar 5E, is no longer made and only the WARNING labeled Enstar 2 is commercially available at this time. Enstar is an important chemical used as part of a rotation program to control whitefly in SFRPD's annual poinsettia production. Enstar may be used in conjunction with biological control efforts using Encarsia wasps as part of an IPM approach to remedy this specific pest problem..*

As a Result of this Search, SFRPD has determined that *small quantities of Enstar 2 will most likely be needed as part of an integrated approach to manage whitefly, scale, and mealybug at the Department's nurseries. These pests are difficult to control and often a variety of techniques are often needed in order to obtain success. The Department is now trying the reduced-risk Neem product Triact to evaluate its potential as an insect growth regualtor for managing mealybug and scale insects.*

SFRPD Plans to Continue this search by *consulting with the University of California and others in developing IPM protocol for managing greenhouse and nursery pests.*

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

Send to the Department of the Environment: 1540 Market Street, Suite 160, SF, 94102

TO:	Commission on the Environment
FROM:	Albert Hom, IPM Coordinator
RE:	Staff Recommendation on Request for Exemption to Pesticide Ban
DATE:	2/13/98

Department:	Recreation & Park Department
Chemical:	Enstar 2, EPA# 55947-82-ZA (Insect growth regulator)
Banned:	Toxicity Category II Pesticides: Under Section 39.4 of the San Francisco Integrated Pest Management Ordinance, all Toxicity Category II pesticides are banned from use effective January 1, 1998. The pesticides carry a WARNING label.
Use:	Insecticide used for controlling whitefly, scale, mealybug, and other greenhouse pests

Recommendation: Approve

According to the Integrated Pest Management Program Ordinance, the Commission will approve requests for exemption if the department has:

1. Made a good-faith effort to find alternatives to the banned pesticide.

The Department has made efforts to look at alternative products but was unable to locate a replacement. Natural enemies are commercially available for whiteflies (such as *Amitus*, *Encarsia* and *Erectmocerus* species, and lady beetle, *Delphastus pusillus*), mealybug (the mealybug destroyer, *Cryptolaemus montrouzieri*) and scales (the lady beetle, Hyperaspis spp., and the parasitic wasp, *Encarsia* spp.) However, the department does not have trained personnel to carry out beneficial releases of natural enemies in greenhouses.

2. Demonstrated that effective, economic alternatives to the banned pesticide do not exist for the particular use.

According to Dr. Rick Redak (Horticulturist, U.C. Riverside), he has tested cultural control methods such as adjusting the nitrogen levels and watering in plants, and using resistant cultivars, but have found these methods unsatisfactory, with less than 50% efficiency. Dr. Heather Costa (IPM Specialist: Ornamental/ Landscape, U.C. Extension), has had extensive experience using IGRs and found them to be least-toxic, highly selective, effective, and have low toxicity to non-targeted beneficial insects. Both Drs. Redak and Costa agree that Enstar 2 is a safer and more selective choice than neem oil (an alternative) in managing these greenhouse insect pests, and will complement an IPM program.

3. Developed a reasonable plan for investigating alternatives to the banned pesticide during the exemption period.

The Department will continue to consult with UC Extension scientists on developing IPM protocols. The IPM Coordinator recommends that the department should start training its personnel in natural enemy releases and attend an upcoming interactive workshop on landscape IPM scheduled for later this year.

File No. PPC-008-98 (Oppose Ward Valley Nuclear Dumpsite)

OPPOSING THE PROPOSED BUILDING OF A NUCLEAR WASTE FACILITY IN WARD VALLEY, CALIFORNIA

WHEREAS, Ward Valley is located 22 miles west of Needles, California, in the Eastern Mojave Desert region; and,

WHEREAS, This site has been selected by the State of California to receive low-level radioactive waste from commercial nuclear power plants, hospitals, industry and research from throughout the State, including San Francisco County; and

WHEREAS, Ward Valley would most likely become a national nuclear dump site with eighteen states having already expressed interest in dumping at Ward Valley, including states which have recently decided to cancel or delay plans for facilities in their own regions; and,

WHEREAS, The federally mandated 1980 Low-Level Radioactive Waste Policy Act does not mandate any particular technology; and,

WHEREAS, All six of the nation's active and inactive low-level radioactive waste facilities are leaking, and nuclear waste dumps in Sheffield, Illinois; Maxey Flats, Kentucky; West Valley, New York; Barnwell, South Carolina; Richland, Washington; and Beatty, Nevada, have released radioactive materials into the surrounding ecosystem; and,

WHEREAS, All of these facilities use shallow, unlined trenches as their method of disposal; and,

WHEREAS, US Ecology, the contractor selected to construct the Ward Valley facility, has built and operated four of the currently leaking nuclear dumps; and,

WHEREAS, Ward Valley radioactive waste facility is proposing shallow land burial in unlined trenches as a method of disposal; and,

WHEREAS, Scientists with the United States Geological Survey have warned that radioactive wastes buried there could eventually contaminate the Colorado River through five subsurface pathways; and,

WHEREAS, A report by the California State Controller found that clean-up costs from leakage at the Ward Valley facility could be as much as $500 million, with the majority of these costs being assumed by California taxpayers; and,

WHEREAS, The dump is proposed for an area that is directly above a major aquifer, 18 miles from the Colorado River, in the midst of critical habitat for the federally-listed threatened desert tortoise and on land considered sacred territory by five Native American tribes; and,

WHEREAS, In May, 1997, the Environmental Protection Agency's National Environmental Justice Advisory Committee expressed its concerns about the violation of environmental justice mandates posed by the Ward Valley proposal; and,

WHEREAS, A December, 1997 report by economics Professor Gregory Hayden, of the University of Nebraska concludes that a 89 percent decline in the volume of low-level radioactive waste has occurred in the last sixteen years and that due to excess capacity at existing dumps the Ward Valley facility is neither necessary nor would it be economically viable; and,

WHEREAS, According to a July, 1997 United States Congressional Research Service Report, as much as 90 percent of the radioactivity proposed for burial at Ward Valley would come from nuclear power plants, including cesium, strontium, plutonium and other long lasting radionuclides; now, therefore, be it

RESOLVED, That the San Francisco Commission on the Environment opposes the proposed Ward Valley nuclear waste dump; and be it

FURTHER RESOLVES, That a letter be sent to the President of the United States, San Francisco County's Congressional Delegation and California Governor Pete Wilson explaining the San Francisco Environment Commission's position against the proposed Ward Valley radioactive waste repository.

Correct date w/ Phil Shelly heard 3/13

February 1998

To: Francesca Vietor, President, Commission on the Environment
City and County of San Francisco

Dear President Vietor:

The proposal for a radioactive waste facility at Ward Valley has raised many serious concerns about environmental safety, social justice, economic viability and financial liability. We believe that the plan to bury radioactive wastes in shallow, unlined trenches, above an aquifer, eighteen miles from the Colorado River, in the midst of critical habitat for a threatened species and on land considered to be sacred aboriginal territory by the five lower Colorado River Indian tribes is a dangerous, irresponsible and costly method of radioactive waste containment.

According to a July, 1997, federal Congressional Research Service report, as much as 90% of the radioactivity slated for Ward Valley would come from commercial nuclear power plants, including cesium, strontium and plutonium and other long-lived radionuclides.

Scientists with the United States Geological Survey have warned that radioactive wastes buried at Ward Valley could contaminate the Colorado River, water source for 22 million people. The dump would be constructed above a major aquifer containing as much as 7% of California's groundwater reserves. US Ecology, the contractor chosen to construct the Ward Valley project, has operated four leaking nuclear waste dumps. All six of the country's radioactive waste dumps using unlined trenches are leaking.

Clean-up costs for leaking wastes at Ward Valley, estimated by the State Controller's Office to be in the hundreds of millions of dollars, would eventually become the responsibility of the California taxpayer.

A December, 1997, study by Professor Gregory Hayden of the University of Nebraska has shown that due to a dramatic reduction in the volume of low-level radioactive wastes and excess capacity of existing waste repositories, the Ward Valley dump is not needed and would in fact be economically unviable. Furthermore, the proposed facility might be profitable only if California were to accept waste from around the country.

Ward Valley would most likely become a national nuclear dump site. Eighteen states have already expressed interest in dumping at Ward Valley, including states which have recently decided to cancel or delay plans for facilities in their own regions.

Far superior alternatives to shallow land burial of radioactive wastes include source reduction, storage to decay of short-lived medical and research wastes and the containment of long-lasting wastes in highly engineered, monitored, retrievable storage facilities.

Independent polls indicate that the vast majority of California's residents oppose the dump project. The City and County of Los Angeles, The Southern California Association of Governments, San Bernardino County and hundreds of environmental organizations, cities and counties and Native American tribes oppose the dump project. The five lower Colorado River Indian tribes have asserted that the dump project would violate environmental justice mandates.

We recommend that the San Francisco Environmental Commission and the San Francisco Board of Supervisors pass a resolution opposing the proposed Ward Valley nuclear waste dump. Thank you for your attention to this matter of importance to all San Franciscans.

Sincerely,

Don Eichelberger
Abalone Alliance

Tom Van Dyck
As You Sow

Susan Stansbury
Bay Area Action

Philip M. Klasky
Bay Area Nuclear (BAN) Waste Coalition

Sam Schuchat
California League of Conservation Voters

Andy Igrejas
Cal PIRG (California Public Interest Research Group)

Luke Cole
Center for Race, Poverty and the Environment

Marguerite Young
Clean Water Action

Richard Drury
Communities for a Better Environment

Karen Pickett
Earth First!

David R. Brower
Earth Island Institute

Bill Roberts
Environmental Defense Fund

Bill Walker
Environmental Working Group

Sally Bingham
Episcopal Commission for the Environment

Bradley Angel
Greenaction

Tony Gonzales
International Indian Treaty Council

Brian Huse
National Parks and Conservation Association

Joel Reynolds
Natural Resources Defense Council

Dr. Robert Gould
Greater San Francisco Bay Area Chapter Physicians for Social Responsibility

Gary A. Patton, General Counsel
Planning and Conservation League

Claire Greensfelder
Plutonium Free Future

Michael Lozeau
San Francisco Baykeeper

Jon Rainwater
San Francisco League of Conservation Voters

Bonnie Sharpe
Sierra Club California

David Nesmith
Bay Area Chapter of the Sierra Club

Marylia Kelley
Tri-Valley CAREs (Citizens Against a Radioactive Environment)

Carl Anthony
Urban Habitat

Jackie Cabasso
Western States Legal Foundation

Norbert Reidy
The Wilderness Society

Jocelyn Whidden
Women's Cancer Resource Center

File No. PPC-009-98 PERSONAL WATER-CRAFT (Safety & Water Pollution)

WHEREAS, the vast majority of personal water-craft (PWC), are powered by two-stroke motors which emit approximately 25% of their fuel unburned into the air and water; and

WHEREAS, unburned gasoline contains chemical pollutants which when emitted into air and water may have long-lived toxic effects, including the additive MTBE, which is considered to be a highly dangerous water pollutant; and

WHEREAS, all types of PWC produce noise at levels of 85-105 decibels, which is both annoying to other recreational users and shoreline hikers, bathers and residents, as well as seriously detrimental to near-shore and shoreline wildlife populations, including several endangered species; and

WHEREAS, the Environmental Protection Agency issued rules in 1997 to cut all recreational boat emissions by 75% by the year 2000; and,

WHEREAS, PWC have an extremely high accident rate and produce hazards to all other recreational water users and possibly marine mammals; now

THEREFORE,BE IT RESOLVED,that the Commission on the Environment urges the Board of Supervisors to strictly regulate PWC operations, and to ban their use in sensitive wildlife areas as well as areas used by non-motorized watercraft and swimmers.

❖ *Bluewater Network is a coalition of boaters, scientists, marine industry experts, and clean water advocates working to reduce the environmental impacts of recreational boating. Bluewater acts as an information clearinghouse and support mechanism for local communities and activists working to regulate and ban personal watercraft (PWC) on specific waterways.*

❖ Personal Watercraft

PWC, also known as Jet Skis®, Waterbikes®, and Sea-Doos®, are aquatic craft with one or more riders who stand, kneel, or sit on (as opposed to in) the craft during operation. Produced by manufacturers of all-terrain vehicles and snowmobiles, *PWC are fundamentally different from conventional boats in terms of both design and use.* They are propelled by an internal combustion engine powering a water-jet pump. This draft design allows PWC to be operated at high speeds in shallow areas close to shore, unlike other motorized boats. Highly maneuverable and capable of speeds exceeding 65 mph, PWC are marketed as "thrill" vehicles. Weaving between vessels, jumping wakes, spinning doughnuts, and radical changes of course are commonplace.

PWC are the fastest growing segment of the boating industry in the U.S. and now account for one third of all boat sales. The $1.4 billion PWC industry sells approximately 200,000 units per year. Cumulative sales have topped 1.2 million and are climbing rapidly.

PWC are *multiple impact* machines. They have had an unprecedented effect in terms of noise pollution, marine pollution, wildlife harassment, and safety on the waterways. The specific problems associated with PWC have resulted in calls for strict regulation and bans across the country.

❖ Noise Pollution

Marine users as well as shoreline hikers and wildlife enthusiasts complain that the high-pitched, mosquito-like whine of PWC often ruin their wilderness experience. PWC produce noise levels in the range of 85-105 decibels (dB) per unit. The American Hospital Association recommends hearing protection for occasional sounds above 85 dB. For comparison, a busy city street produces about 85 dB. Furthermore, the design of PWC results in noise that is particularly annoying; the jet drive emerges from the water every time they go over a wave. Changes in loudness and pitch when jumping wakes or riding over waves make PWC much more disturbing than constant sounds.

A controlled study of PWC in the San Juan Islands (Washington state) by the Woods Hole Oceanographic Institute concluded that PWC, which lack a low-frequency long distance sound, do not signal surfacing birds or mammals (including humans) of approaching danger until they are almost on top of them.[1] The high frequency sounds

PWC produce in both air and water also startle birds and other wildlife.[2] Scientists in New Jersey observed PWC frightening ospreys and terns away from their nests, leaving their eggs vulnerable to predators.

❖ Wildlife Impacts: Disruption & Displacement

PWC are designed to travel into shallow and more remote shoreline areas and regularly harass wildlife during normal use. Wildlife biologists throughout the country have testified on the existing and potential impacts of PWC use. In California, biologists observed the separation of seal pups from adult mothers because of PWC activity nearby. In Florida, endangered manatees have been run over by PWC. Florida's Game and Fresh Water Fish Commission tentatively concluded that PWC, as opposed to conventional boats, produce larger flushing distances[1] of water fowl due to their smaller size, higher speed, and larger spray.[3] Officials at the Washington State Department of Fish and Wildlife's Ecosystem Management Program have gone on record to report that they are becoming "increasingly concerned with the effect of motorized personal watercraft... particularly jet skis, on both nesting birds and spawning salmon."[4] The state of Hawaii classified PWC as "thrill craft" and imposed strict areas of use for the watercraft in order to protect humpback whales who come to the islands to bear their young.[5]

❖ Polluting the Aquatic Environment

The threat of two-stroke engine pollution from PWC is particularly deleterious because of where and how the machines are used. Two-stroke engines run on a mixture of oil and gasoline, and discharge as much as one third of this mixture unburned into the water. PWC expel gas and oil at a much higher rate then do other two-stroke engines.[6] An average two-hour "thrill" ride on a PWC dumps 2 1/2 gallons of gas and oil into the water. In addition, PWC have twice the hourly usage rate of other water vessels.[7]

PWC pose an even greater threat than other two-strokes because they are capable of traveling in shallow and remote areas, where water and other wildlife are most prevalent and most sensitive to environmental pollution. Hydrocarbons in gas and oil released from two-stroke motors float on the surface and settle within the shallow ecosystems of water bodies. These areas are home to many organisms at the base of the food chain: fish eggs, algae, shellfish, and zooplankton. Scientists have determined that hydrocarbon pollution bioaccumulates within the complex food web, posing a serious threat to the marine environment.[8]

❖ Safety Concerns

Accident rates for PWC are disproportionate compared to their numbers on the water. The Journal of the American Medical Association (JAMA) recently reported that while the number of PWC tripled during the first half of the 1990's, injury rates involving

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[1] Flushing distance refers to how far away a PWC has to be to cause birds to fly up and away.

their use quadrupled.[9] PWC injury rates were 8.5 times higher than injury rates for motorboats.[10]

While only 8% of all vessels on U.S. waters are PWC, the vessels accounted for 40% of all boating accidents in 1995. They were involved in 40% of all boating-related injuries during that same year. These numbers are even higher in some states (Colorado's statistics for 1996 were 6% and 50% respectively).

For inexperienced PWC riders (those who most commonly operate the craft)[11] steering poses a particular problem. PWC have no brakes or clutch to aid maneuvering and are unsteerable at high speeds when the throttle is cut. When operators let up on the throttle to avoid a collision – something people are conditioned to do with bicycles and cars – they go straight, essentially becoming uncontrollable.

Never have such a small proportion of boats had such a negative impact on a large number of users. Injuries and deaths often involve young riders who collide with other vessels on the water. Normal PWC use, such as following other boats to jump their wakes, often endangers other marine users, resulting in disproportionate numbers of warnings from marine enforcement officers and complaints from other marine enthusiasts.[12]

❖ Increasing Regulation

High accident rates have led to a rash of new state safety laws which regulate PWC use. It is common practice for high-paid industry lobbyists to pressure local and state regulators to adopt their very tame "model" regulations, which do not address any problems specific to PWC use or design. For example, industry regulations set a minimum age of 16 for PWC operation, prohibit nighttime use, and require an emergency shut-off switch. These regulations ignore more pervasive problems. The industry's legislation is minimal at best and represents an attempt to placate the public due to concerns associated with these craft.

Those who oppose PWC activities and proliferation promulgate meaningful regulation that would mitigate the multiple impacts of PWC. These include laws that alleviate noise problems, prevent wildlife disruption and displacement, mandate reducing the tremendous pollution from PWC's two-stroke motors, and augment the safety laws proposed by the industry. Some regulations are listed below:

- Define PWC as "thrill craft."
- Include large buffer zones that keep PWC users far away from the shoreline as well as from swimmers, divers, and wildlife.
- Limit access to PWC except within specific areas to be designated by local communities through city ordinances.
- Prohibit PWC activity that endangers other marine users (e.g. jumping wakes, spinning doughnuts).

- Require PWC riders to carry liability insurance and an identification card.

It has been suggested that stricter enforcement of existing laws would be sufficient to prevent much of the noise pollution and wildlife harassment for which PWC users are held responsible. But this poses a number of problems; first, marine enforcement agencies are often understaffed and have limited resources. Michael Hector, sales manager for a PWC rental store in Sausalito, California described the situation in the area where he rents PWC: "From the top of Monterey Bay all the way to the Golden Gate Bridge, there is a single sheriff's boat...Generally speaking, most people break the laws most of the time." [13] Second, the industry often donates PWC to enforcement agencies, allegedly for lifesaving or monitoring capacities (Kawasaki Corporation donates over1,000 PWC annually to federal, state, and local law enforcement agencies; retail values for this loan program are estimated to be $5,000,000).[14] In reality, such gifts undermine agency opposition to proliferation of such craft. This amounts to divided loyalties within law enforcement when it comes to PWC regulation or bans.[15]

PWC Use Is Incompatible with Certain Waterways

As accident, injury, and sales rates of PWC continue to rise, local communities and government agencies, both state and federal, are taking into serious consideration where PWC belong, and if they belong at all. San Juan County in Washington state voted to ban PWC in 1995.[ii] Citizens in the San Juans contend that PWC jeopardize the unique attributes of a pristine area, including peaceful recreation and the viewing of diverse wildlife such as sea otters, loons, orca whales, and eagles. PWC are also banned on smaller lakes and rivers across the country. Some states, such as Vermont and Maine, have banned PWC on lakes smaller than a designated size (300 acres and 200 acres, respectively). Maine also allows citizens to file private nuisance suits if harassed by PWC activity.

Adequate regulation does not obscure the fact that PWC use is not compatible with the basic values of certain waters. Federal agencies whose jurisdictions span a wide range of areas recognize the unique impact of jet skis and have regulated them accordingly. These agencies include the National Oceanic and Atmospheric Administration, Fish and Wildlife, and the National Park Service. Larger citizens organizations have supported these government efforts. For example, the National Parks and Conservation Association, a non-profit organization with over half a million members, recently took steps to ban PWC from Olympic National Park. Olympic would be one in a host of other national parks, marine sanctuaries and wildlife refuges who have already banned or severely restricted PWC use. These include Monterey Bay National Marine Sanctuary, the Gulf of the Farallones National Marine Sanctuary,[iii] Key Deer National Wildlife Refuge, Great Heron National Wildlife Refuge, Key West National Wildlife Refuge, and Everglades, Yellowstone, and Dry Tortugas National Parks. More and more, those on and off the water see a

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[ii] This ban is under appeal in the Washington State Supreme Court.

[iii] NOAA is still considering a PWC ban for this marine sanctuary.

need to recognize that thrills for a few should not become a safety and environmental hazard for the majority.

VVVV

Bm ✓
file

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February 18, 1998

Christopher Chow
Department of the Environment
City and County of San Francisco
1540 Market Street, Suite 160
San Francisco, CA 94102

Re: KRON-TV

Dear Mr. Chow:

This firm represents Chronicle Broadcasting Co. of San Francisco, Inc. ("KRON-TV") and in that capacity has been referred your letter of February 11, 1998, and its enclosure, for review, investigation, and response. Following our review of your letter, its enclosure, and the broadcast of which it complains, following our inquiries into the matter, and following consultation with our client, we have been authorized to advise you that no correction will be broadcast.

The Statement accompanying your letter first complains about the broadcast's assertion that the Department of Public Health ("DPH") was not consulted in the drafting of the relevant ordinance, nor in its amendment. That information was obtained directly from the DPH, and as far as we are aware, it is accurate.

The Statement next complains about the comment that it would be very difficult, "near impossible," to obtain prompt exemptions. The broadcast did not make that statement. To the contrary, it indicated that public health inspectors believe that to be the case. They do so believe, and there is nothing inappropriate in reporting their belief.

The three remaining challenged statements -- that the ordinance is handcuffing DPH in doing its job, that rodenticides and other pesticides are the only effective means of controlling or killing rats, and the opinion of Dr. Harold Stein about the wisdom of the relevant ordinance -- are all statements of opinion clearly protected by the First Amendment to the United States Constitution and by the California Constitution. Opinions are and must be subjective, and as such can never be "true" or "false." The fact that members of the Department of the Environment or the Commission on the Environment may have differing

or competing opinions does not make the opinion expressed in the relevant broadcast "false" and therefore in need of correction. Indeed, an opinion is a subjective assessment and as such is incapable of finite verification or correction.

While I believe that the above adequately responds to your letter of February 11, 1998, and to its enclosure, please do not hesitate to let me know if there are facts of which you believe we are unaware which in your view might change our analysis. In that sense, this letter is as much an invitation to a dialogue as the termination of one.

Very truly yours,

Neil L. Shapiro

mwb
cc: James Esser

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

DRAFT MINUTES OF THE REGULAR MEETING
March 10, 1998

1. **Call to Order and Roll Call.** The meeting was called to order at 6:07 p.m. by President Vietor. Present were Commissioners Eng, Evans, Krefting, Okamoto, Richardson, and Russell. Deputy City Attorneys David Greenburg and Rona Sandler were also present.

2. **Approval of Minutes of Previous Regular Meeting of February 10, 1998 and Special Meeting of February 17, 1998.** Unanimously approved upon motion by Commissioner Richardson.

3. **Consent Calendar** – None.

REGULAR CALENDAR

4. **Chemical Exemption Requests** – (See Attachments)

Recreation & Park Department:
Upon motion by Commissioner Krefting, the question to approve Enstar 2 and REWARD was divided by the president.

Enstar 2 (Insect growth regulator) – Request **approved** 6-0 upon motion by Commissioner Krefting.
REWARD (Aquatic herbicide)- Request **denied** 6-0 upon motion by Commissioner Evans.

Commissioner Eng concurred with President Vietor's request for more information on the search for alternatives with a request for a follow-up letter to SFRPD.

PUC-Water Department:
VIKANE (Fumigant) – Request **approved** 6-0 upon motion by Commissioner Evans for one-time use under very controlled conditions.

Members of the public, including Jeanne Merril of Pesticide Watch, voiced concern that there is insufficient information and demonstration of a search for alternatives to the above pesticides. They insisted that city departments must make an exhaustive effort to find alternatives to chemical pesticides. Commissioner Eng asked if there were any provisions in the IPM Ordinance regarding training. Director Magilavy said there are no specific requirements for training in the law; and that though the Board of Supervisors approved $100,000 last year for training, the scope of training needed is nowhere close to the funding approved for training.

5. **File No. PPC-009-98 Personal Watercraft Issues Resolution (Safety & Water Pollution)** (See Attachments)
Carried 6-0 upon motion by Commissioner Evans.

6. **File No. PPC-008-98 Oppose Ward Valley Nuclear Dump Site Resolution** (See Attachments)
Barney Popkin, member of the public and Chair of the Hazardous Materials Advisory Committee to the Board of Supervisors asked how low-level radioactive waste is being stored in the City presently.

Ernest Goitein, Coordinator of Californians for Radioactive Safeguards, said the University of California, San Francisco is the City's major producer of low-level radioactive waste, which is short-lived and stored on-site

Phil Klasky, Director of Bay Area Nuclear Waste Coalition (BAN), said some nuclear waste destined for Ward Valley would come from San Francisco and that potential leakages at the site could cost some $500 million to the taxpayers.

John Shaver, Manager of Hazardous Materials Management in the Environmental Health & Safety section of the University of California, San Francisco reported that the U.C. Board of Regents and the University Administration have

studied this project extensively and concluded Ward Valley was suitable.
Carried 7-0 upon motion by Commissioner Russell.

7. **Communications – Hearing on Biodiversity** – Commissioner Evans introduced the following speakers.

Arthur Feinstein, Golden Gate Audubon Society Executive Director – "Since its 1917 founding in Golden Gate Park, the Golden Gate Audobon Society has been working with private and public interests to preserve and sustain the natural biodiversity of San Francisco." He said the biodiversity of San Francisco is quite extensive, noting that there have been over 350 species of birds at one time or another, let alone mammals, fish, insects, and plants. "But it's a very tenuous state of biodiversity given the intense, dense urban environment that is San Francisco." He added that over the past three years, the society's annual Christmas bird counts have shown a decline in the number of birds in our community.

Alan Hopkins, Golden Gate Audobon Society, presented a ten-minute color slide show on the native plant and animal species of the San Francisco Bay region. Mr. Hopkins said that because San Francisco is in the path of the Pacific Flyway, hundreds of species of birds visit our environs, some migrating from Alaska to the tip of Tierra del Fuego on the South American continent. "When we ask San Francisco to protect birds and , we're actually asking on a global scale."

Ruth Gravanis, a contributor to the *Sustainability Plan for the City of San Francisco,* defined biodiversity as "having enough species, enough individuals in each species so that we have genetic diversity, we have a big enough gene pool in each species so that they can be seen to evolve and adapt to new conditions. And in order to have lots of species you have to keep lots of different types of habitat. We've got to respect the eco-system, the interdependent communities of plants and animals that evolve together over time. Sometimes, when we introduce a new species into that system, where the critters there don't have a defense-mechanism because they didn't evolve with that new critter, they don't have a defense-mechanism to avoid being eaten or displaced. And bringing in new species often sets in motion a wave that leads to fewer and fewer species. In San Francisco we're particularly concerned about starlings, and other bird species that are driving out many of our native birds." In another example, she said bull frogs are threatening the endangered red-legged frog that is native to San Francisco. Ms. Gravanis also noted that feral cats, many of them descendants of escaped pets, as well as domestic cats allowed to run free, are causing tremendous negative impacts on song birds. "And the beautiful California quail, a ground-nesting bird, our State Bird, is virtually being wiped out by cats in our City."

There are four areas of major concern that she wanted the Commission to address:

1) protecting and restoring our natural resource areas, and maintaining the City's open space fund;

2) asking the Commission to ask the Rec and Park staff to report on how they are incorporating the sustainable biodiversity plan nto their management practices, because some of the management practices of Recreation and Park Department have been harmful to wildlife – sometimes trees are cut down or pruned that actually have nesting birds in them;

3) problems with the kinds of plants being planted in the gardens; the City nurseries should be propagating and making available plants that serve wildlife;

4) the goal in the *Sustainability Plan* that says habitat value should be maximized in developing naturalistic areas in both public and private land and encouraging private homeowners to do more in their own backyards, preserving portions as wildlife sanctuaries, and that the public schools should encourage planting for food as well as wildlife.

David Graves, a teacher and a member of Friends of McLaren Park, emphasized the need for creating and preserving wildlife corridors, such as one connecting McLaren Park to San Bruno Mountain that "would increase the genetic richness of the species that inhabit both parks because of the flow back and forth of both populations." He suggested that encouraging environmental landscaping could be used as a bridge connecting natural areas, discouraging the encroachment of development as well as "the creation of trails, which cut up eco-systems." He stressed that the City needs to preserve natural areas for young people, many city kids don't have the means to visit the great natural wonders of Yosemite and Yellowstone.

Pete Holloran, representing the California Native Plant Society as well as the National Park Service, talked about stewardship and responsibility for biodiversity and presented a slide show of the natural history of the Presidio. Ten percent of the Presidio's 1400 acres are populated by native species, including 11 rare plants and at least one of two surviving Raven Manzanitas in the world (discovered in 1950 by native San Franciscan Peter Raven). His slides showed the original wetlands at Crissy Field and the open areas of the Presidio before the Army started planting 400,000 trees. Non-native tree planting has had negative impacts. The native Xerxes blue butterfly became extinct 50 years ago due to the forced tree plantings in the Presidio. "The sand dune restoration program at the Presidio has led the National Park

Service to adopt this model of community-based stewardship using volunteers and school-age children and youth at Crissy Field." This so impressed the Haas family that it has committed to donating $10 million to fund the marsh and dune restoration there.

Lisa Wayne, Natural Areas Management Team, SF Recreation & Park Department, said her program came out of the 1995 Natural Areas Management Plan that mandated restoration and enhancement of remnant natural areas in San Francisco, representing over 30 parks city-wide from Mountain Lake near the Presidio to Bayview Hill to Lake Merced, and to Sharp Park in Pacifica. Ms. Wayne focused on two aspects of implementing the *Sustainability Plan:* education and management.

In addition to the current of staff of three, the team has two AmeriCorps placements helping to develop a hands-on environmental curriculum to teach young people about environmental diversity and ecological restoration. There is also a collaboration with San Francisco League of Urban Gardeners and the Youth In Action component of the San Francisco Conservation Corps restoring McLaren Park.

Biodiversity training is also being done for the department's recreation directors and gardeners. In the management area, a contract will be signed soon to create a management plan for the City's natural areas that will include the conducting of inventories and surveys of plant and animal life and identification of needs and remedies.

Jeff Henne, San Francisco Open Space Advisory Committee member for the past 15 years, recommended the Commission do the following things: support re-authorizing the Open Space Advisory Committee (approximately 5 years left under current authorization) through a new ballot measure (Charter amendment); support maintenance of the banking fund which is threatened with depletion from other Recreation and Park programs and urging the Mayor and the Board of Supervisors to commit more funds for open space acquisition and the natural areas management team. In response to a question from Commissioner Richardson, Mr. Henne said the last recommendation from the committee was $2 million short of what is needed for the restoration of the Martin Luther King, Jr. swimming pool in Bayview-Hunters Point.

8. **Finance & Operations Committee Report.** Chairperson Krefting reported on the work preparing the FY 1998-99 budget, which was forwarded to a special meeting of the Commission.

9. **Planning & Policy Committee Report.** Chairperson Evans reported that the committee has deferred discussion on the 49er Stadium/Mall resolution pending further information from the Mayor's Office. The committee will discuss refining procedures for handling future resolutions as well as the criteria for subject matter at the next meeting.

10. **Director's Report.** Director Magilavy reported that the **Sustainable Development Forum** has been postponed from its April 30 date to sometime in the fall. Supervisor Bierman's power plant resolution (derived from the Commission's resolution urging the City and County of San Francisco to investigate whether to buy the PG&E power plants in Hunters Point and Potrero) received considerable public testimony at a committee hearing before being placed on the full Board's next meeting agenda. A new draft of the green building legislation has been finalized and is being reviewed by the City Attorney's office as to form. The major change from the previous draft is that the Board of Supervisors will be asked to fund the Bureau of Architecture, Department of Public Works, to prepare a proposal for a pilot program in consultation with ten or eleven city departments. The Integrated Pest Management program is in the process of reviewing outreach to other departments. So far, only four of 58 departments have submitted IPM plans.

11. **President's Report.** President Vietor said scheduling problems have also hampered progress on setting the **Mayor's Environmental Briefing.** A reception celebrating Earth Day, with a City Proclamation, might be held April 22 in the Green Room of the War Memorial (interim City Hall). President Vietor also suggested a Commission retreat be convened in two or three months. Regarding the erroneous rat report by KRON-TV last month, President Vietor has sent a letter to Public Health Director Mitchell Katz requesting that he send a letter to KRON-TV providing the correct information regarding rats and the Integrated Pest Management Ordinance of the City.

12. **Other Business.** Commissioner Eng asked Commissioners to share their mailing lists with the Commission and the Department.

13. **Public Comment.** None.

14. **Adjournment.** The meeting was adjourned at 8:44 p.m.

Join the countdown to zero dioxin!

CBE calls on industry, government and people from our diverse Bay Area communities to join the campaign to prevent and eliminate dioxin threats to our health.

Be a member of CBE

$25 annual dues are tax deductible.

Write or call us today to sign up!

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Speak out at the major Regional Water Quality Control Board hearing on dioxin on February 18

When: 9:30 a.m. Wednesday, February 18, 1998.

Where: BART Headquarters Building, 800 Madison St. (above Lake Merritt Station) in Oakland, CA.

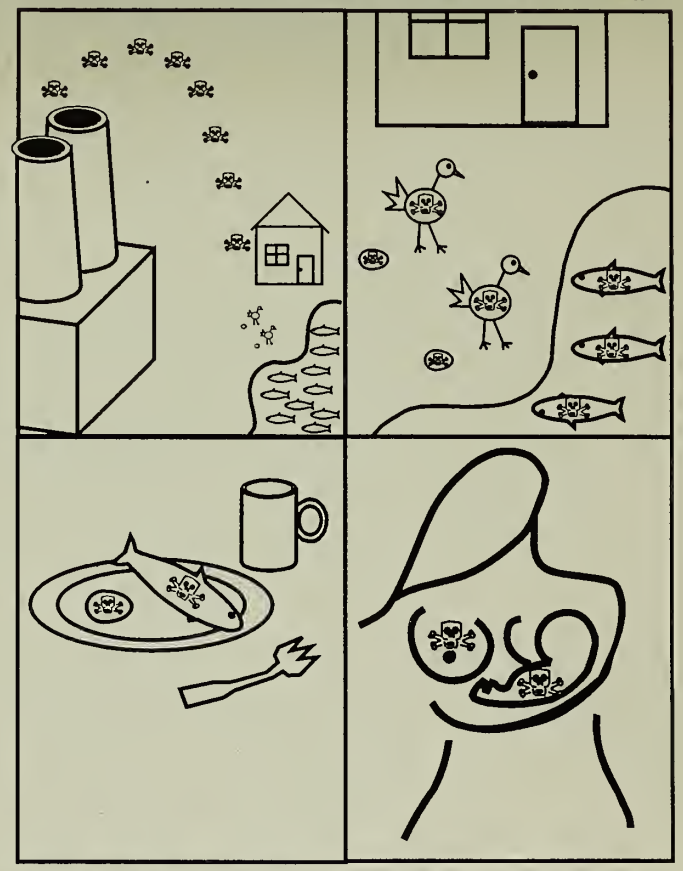
We need a practical policy for zero dioxin in our Bay:

• We need pollution prevention audits to find ways that industry can stop creating dioxin. Chevron says it will not do a dioxin audit at its Richmond refinery, unless this is required by government rules.

• We need the Water Board to stop dioxin at the source. Air quality officials allow the I.E.S. incinerators and other sources to put dioxin into our Bay through air releases, which enter storm water runoff.

• We need enforceable rules to leverage investment: Palo Alto has delayed an affordable investment to replace dioxin-creating sludge incinerators, saying it will still be "in compliance" without it.

COUNTDOWN TO



ZERO DIOXIN

COMMUNITIES FOR A BETTER ENVIRONMENT
500 HOWARD STREET, SUITE 506
SAN FRANCISCO, CA 94105
415/ 243-8373

Dioxin is the name for a group of chemicals that includes chlorinated dibenzodioxins and dibenzofurans and PCBs. These are the most toxic synthetic pollutants known. They disrupt the way our genes work. In people and other animals dioxin causes cancer, developmental and reproductive toxicity, immunotoxicity, allergies, hormonal changes, decreased testicle size, diabetes, altered enzyme action, slow learning, and other problems.

All of us risk cancer, birth defects, endometriosis and other serious health problems because industrial pollution puts dioxin into our environment and our food chain. Already dioxin has built up to dangerous levels in the average person's body. People who fish San Francisco Bay for food are especially imperiled.

Worldwide testing shows that dioxin pollution is a byproduct of twentieth century industry. In the San Francisco Bay Area, 28 ongoing sources of dioxin are known. Refineries owned by Chevron and other oil companies, diesel fuel, waste incinerators run by I.E.S. in Oakland, the City of Palo Alto and others, Kaiser Cement in Cupertino, foundries, and other industries release tiny-but-toxic amounts. Dioxin levels exceed government standards in 50 recent tests of storm water runoff and waste water effluent throughout the Bay Area.

Once it is created, dioxin is released into the winds and currents, and it concentrates drastically in our food chain. Dioxin is measured in fish at levels up to a million times greater than those in water. It contaminates beef, fish, poultry and dairy products nationally. Backyard chicken eggs and local fish near pollution sources have still higher levels. In San Francisco Bay, a public health advisory is in effect for dioxin contamination of fish.

Nine-tenths of our exposure to dioxin is from contamination of our food. We are exposed also through the air we breathe, the water we drink, and skin contact. All of us are exposed: Tests show dioxin levels in people's bodies in the general population approach toxic levels found in lab studies. Industrial neighbors and workers and people who rely on Bay fish for food suffer even greater exposure than this already-dangerous average level.

Children are especially vulnerable. Dioxin concentrates in mothers' milk and enters the womb during pregnancy. Nursing infants are exposed to about 50 times more dioxin, per pound of body weight, than adults. Exposure in the womb may be even greater. Studies of thousands of children found neurotoxicity worsened with increasing exposure to dioxin and PCBs in the womb. Most alarming, subtle slow learning linked to the compounds was found in 5-10% of children whose mothers had ***average*** exposure.

There is no need for more health problems from the ongoing creation of this useless byproduct. Industrial production methods can change to stop creating dioxin at the source.

Dioxin is an unwanted byproduct with no industrial use. Industries can stop creating it. Some have. Here are some pollution prevention examples:

° Paper plants can cook wood pulp longer and use oxygen and peroxide instead of chlorine to make bleached paper without dioxin;

° Hospitals can segregate wastes, buy recyclable instruments, and use microwave and steam disinfection instead of incineration; and

° Oil refineries can remove carbon buildup from metal catalysts without using chlorinated solvents, or separate hot combustion gases from liquid, to eliminate dioxin from reforming catalyst regeneration.

COMMUNITIES FOR A
BETTER
ENVIRONMENT

April 6, 1998

Francesca Vietor, President
Members of the Commission
San Francisco Environmental Commission
1540 Market Street, Suite 160
San Francisco, CA 94102

Re: **Healthy Bay and Beaches and Zero Dioxin Requests for April 14th Meeting**

Dear Francesca and Commission Members:

Communities for a Better Environment (CBE) is a multiracial environmental health and justice organization with offices in Los Angeles and San Francisco. Our community members, including workers in industry, low income fisher people, and others, work with our organizing, science and legal staff for better health in the environment where we work, live and play. We believe that lasting environmental progress can be won only hand in hand with social and economic justice. Thank you for this opportunity to submit information in advance of the Commission's April 14th meeting, where we would like to raise the following issues and requests:

1. CBE's SAFER! project "Healthy Bay and Beaches" campaign seeks to work with the San Francisco Public Utilities Commission to reduce and eliminate toxic and bacteria pollution threats to people who use our Bay and beaches. We enclose some background information, including a resolution of support for the campaign.

   Action requested: We seek the Commission's formal support signing onto the Resolution for a Healthy Bay and Beaches (enclosed). Our community campaign members wish also to discuss our concerns at the meeting, as we may return to the Commission for additional support on specific portions of the campaign in the future.

2. CBE's "Countdown to Zero Dioxin" campaign and the California Zero Dioxin Exposure Alliance seek to stop severe dioxin threats to our health by stopping the formation of the toxic byproduct at its sources. We enclose our general fact sheet, Alliance Statement, and February 6, 1998 proposal to the Regional Water Board for a Bay-wide Zero Dioxin policy.

   Action requested: We seek a resolution expressing the Commission's support for the Alliance' Bay-wide zero dioxin proposal. We would like also to brief the Commission on dioxin and Alliance activities, and begin discussions on some key developing issues for possible future actions by the Commission.

I hope the enclosed material on these issues will be helpful to the discussion with the Commission. Thanks again. I look forward to the meeting.

Sincerely,

Greg Karras
Senior Scientist

Enclosures

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In Southern California: 605 W. Olympic Blvd., Suite 850 • Los Angeles, CA 90015 • (213) 486-5114

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COMMUNITIES FOR A
BETTER
ENVIRONMENT

RESOLUTION FOR A HEALTHY BAY AND BEACHES

Demands to Protect the Quality of Our Environment
and Maintain the Quality of Life for Our Communities

WHEREAS, the San Francisco Bay is a partially enclosed body of water, surrounded by over 7.5 million people and which includes 12 counties, and encompasses the Sacramento and San Joaquin rivers, the Delta, and the Suisun, San Pablo, Richardson, central and south bays;

WHEREAS, San Francisco Bay is considered a recreation paradise for outdoor enthusiasts, including boaters, swimmers, boardsailers, surfers, anglers, beach goers and thousands of families, each individual's quality of life benefits from the Bay's natural resources;

WHEREAS, San Francisco Bay is home to the west coast's largest national wildlife refugee for marine life, as well as, various diverse birds and animals;

WHEREAS, there are over 300 industrial dischargers and 50 sewage treatment plants discharge more than 30,000 pounds of 65 toxic pollutants daily into the Bay;

WHEREAS, state agencies have identified more than 30 toxic hot spots in the Bay and the City of San Francisco has three human health risk toxic hot spots which are used for recreation: Islais Creek, Hunter's Point, and Candlestick Park;

WHEREAS, San Francisco bay area sewage plants are some of the largest contributors of pollution to the Bay;

WHEREAS, the City of San Francisco 's two major sewage plants, which discharge both into the Bay and Ocean, are among the largest public polluters;

WHEREAS, the City of San Francisco, in conjunction with State Health Services has posted eight language health warnings cautioning pregnant women and children from eating Bay-caught fish due to possible birth and development effects;

WHEREAS, since 1993, San Francisco's four major beach areas, Ocean beach, Baker beach, Crissy Field/Aquatic Park, and Candlestick Park were posted for **1180 days** because of sewage and polluted runoff;

WHEREAS, since 1993 the federal Environmental Protection Agency(EPA) has determined individuals would get sick **1263 days**, with Baker beach accounting for 42 percent of the days.

WHEREAS, general public health through direct water contact and consumption of Bay fish is at risk, increasingly in danger are elderly, children, pregnant women, especially in communities of color and those with lower immunity systems;

WHEREAS, both bacterial and toxic chemical health effects can range from stomach pain, nausea, infections to birth defects, immune system damage and cancer;

500 Howard Street, Suite 506 • San Francisco, CA 94105 • (415) 243-8373
In Southern California: 605 W. Olympic Blvd., Suite 850 • Los Angeles, CA 90015 • (213) 486-5114

Chlorine-Free 100% post-consumer

WHEREAS, Communities for a Better Environment(CBE) and its advocacy component, San francisco bay Advocates For Environmental Rights(SAFER!), are conducting an organizing campaign know as the *Healthy Bay and Beaches Campaign*;

NOW THEREFORE, BE IT RESOLVED that the undersigned organization supports the efforts of CBE/SAFER! to convince the City of San Francisco to improve the public health and quality of life;

BE IT FURTHER RESOLVED that we request the City of San Francisco identify sources and causes of bacterial contamination which results in posted and closured beaches;

BE IT FURTHER RESOLVED that we request the City of San Francisco to implement an aggressive pollution prevention program which includes industrial inspections,audits, small business loans to prevent human health threat from mercury,dioxin, PCBs, and other toxic pollution sources;

BE IT FURTHER RESOLVED that we request the City of San Francisco address all sources of pollution hazards, including but not limited to sewage plants;

BE IT FURTHER RESOLVED that upon passing this resolution, a copy will be sent to Communities for a Better Environment, the Honorable Mayor Willie Brown, and Public Utilities Commission at the addresses below.

Honorable Willie Brown
Mayor of San Francisco
401 Van Ness Ave. Suite 336
San Francisco, CA 94102
fax (415) 554-6113

Anson Moran, General Manager
City and County of San Francisco
Public Utilities Commission
1155 Market St. 4 Floor
San Francisco, CA 94103
fax (415) 554-3161

This resolution was adopted or otherwise approved by

(Organization) _____

on the _____ day of the month of _____, 1998.

Contact person, title: _____

Address:_____

Telephone:_____

Welcome to SAFER!

SAFER!'s Mission Statement and Goals.

San Francisco Bay advocates for environmental rights (SAFER!) is a membership-based organizing project of *Communities for a Better Environment (CBE)*. SAFER! is made up of people of Asian, African American, Latino, and White descent who live and work in neighborhoods and benefit and use the Bay's resources. SAFER! believes that only by working together can we then organize to confront the threat of toxic pollution and create power for our communities. SAFER! believes that all people, regardless of race, ethnicity, language spoken, educational background, sex, income level and immigration status have the right to organize for a clean, safe and healthy environment.

SAFER!'s origins.

SAFER! began in the fall of 1992, when CBE decided it wanted to bring people from San Francisco Bay fishing piers together to confront the Bay toxic pollution threat. In consultation with the Center for Third World Organizing (CTWO), a national organizing training center based in Oakland, CBE hired its first full-time community organizer.

After talking with over 300 people at South San Francisco Bay fishing piers about the conditions of the Bay, CBE learned that the majority are people of color, immigrants, and low-income/working class, and live throughout the Bay. People from the piers came together, and in November, 1992, formed SAFER! - South bay Anglers For Environmental Rights, and began a grassroots, direct action, community-organizing campaign directly involving people at fishing piers and their families.

Since the fall of 1992, SAFER! has grown and developed into San Francisco Bay advocates for environmental rights which includes not only people who fish, but other families and individuals who enjoy and utilize the Bay and beaches natural resources.

SAFER! Victories.

Over the past four years, SAFER! has won major community and institutional policy changes for the Bay community, some of the highlights which include:

- in 1993, brought national attention to the issue of fish contamination and communities of color as an environmental justice issue. It is now a part of President Clinton's Executive Order on Environmental Justice;
- in 1994, organized community anglers and residents to pressure the California Regional Water Quality Control Board to conduct the first-ever comprehensive toxic fish test of $173,000 which tests the fish people catch and eat out of the Bay for contamintation;
- in 1993, organized community anglers and residents to pressure the California Environmental Protection Agency to commit to conducting the first-ever Fish Contamination Outreach and Education program that will initially post fish health warning signs in Spanish, Chinese, Vietnamese, Korean, Laotian, and other languages at Bay area fishing piers, beginning in San Francisco through the City Department of Public Health;
- in 1995, organized community residents and anglers to pressure the San Francisco Bay's largest sewage treatment plant, East Bay Municipal Utility District (EBMUD) to agree to over $100,000 in improvements for its industrial pollution prevention program;
- in 1996, organized community anglers at San Francisco fishing pier to pressure the Port of San Francisco to $50,000 in basic pier and waterfront changes;
- in 1996, organized local anglers and families in San Francisco to pressure the City of San Franisco's Department of Public Health to post the first ever widespread posting of 8 language multilingual Bay-fish consumption health warning signs
- over the past four years involved and worked with constituencies from immigrant worker organizations, local neighborhood groups, monoracial and multiracial community groups, environmental conservation groups, environmental justice groups, and low-income housing groups.

SAN FRANCISCO'S NEIGHBORHOOD NEWSPAPER

THE INDEPENDENT

TUESDAY, JUNE 24, 1997

NEIGHBORHOOD ROUNDUP

BY EMILY SOARES

Summer rally targets pollution threat

Last week, about 70 people gathered at Baker Beach to protest the dumping of city sewage, which closes San Francisco's beaches for a combined average of 391 times a year, ranking them among the nation's most polluted beaches.

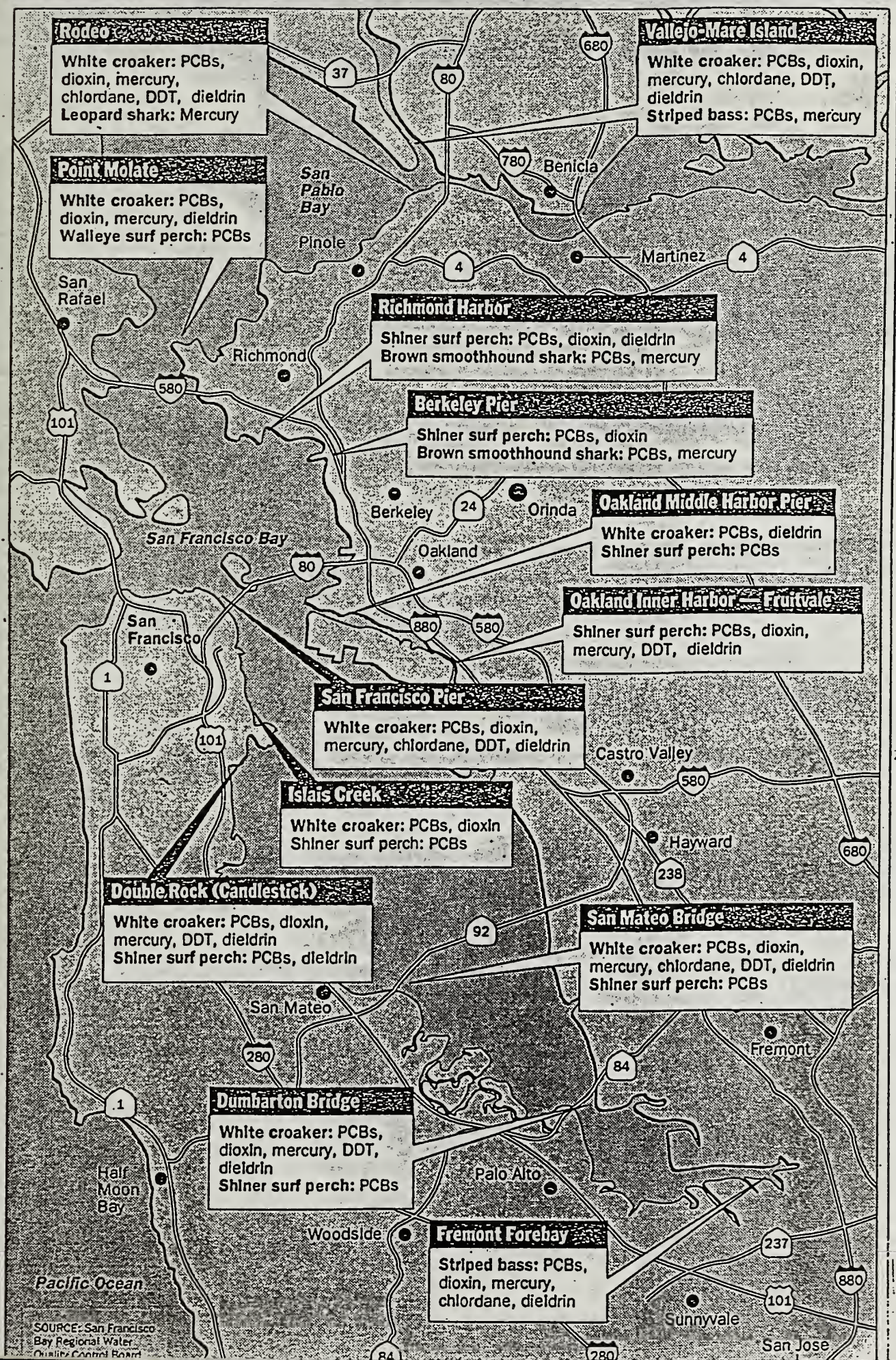
"The last time I brought my children here they came home with rashes and cramps," said Luz Carillo, a Hayward mother of two. "We need the city to clean up its beaches and that is why I came back with my kids," she said. The event brought together children, anglers, swimmers, and surfers, who took part in games to call attention to beach pollution. Kids broke a fish piñata and built debris sand castles while their parents participated in a dead fish race.

Assemblyman Kevin Shelley spoke about two bills he is sponsoring that would develop a more comprehensive governmental water quality program and increase public notification when water does not meet health standards. "My legislation will not only preserve California's coastline, it will allow the public greater access to crucial environmental information," he said.

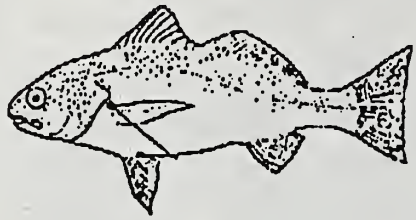
The event was sponsored by SAFER!, a project of Communities for a Better Environment (CBE), and was the kick-off to their Healthy Bay and Beaches Campaign. One of the campaign's goals is to get more than 100,000 San Francisco residents to sign postcards demanding that the city come up with a plan to prevent toxic and bacterial contamination from polluting the beaches and bay.

For more information call 243-8373.

CONTAMINANTS IN SAN FRANCISCO BAY FISH

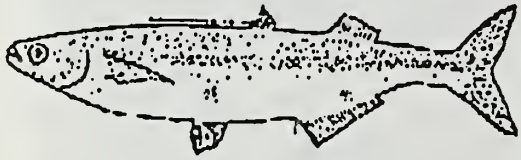


FISH TO BE TESTED IN THE BAY FOR TOXIC CONTAMINATION*



White Croaker (Kingfish), shiner little bass. Color is brownish to yellowish on back becoming silvery below, fins are yellow to white; length to 16 in.

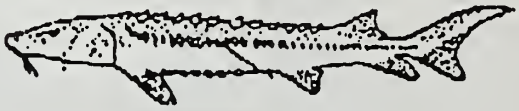
Perch, gray to greenish above, 2 or 3 vertical yellow and black bars on sides, length to 8 in.



Jacksmelt or California smelt, color is greenish blue above, silver sidestripe, silvery below; first dorsal fin in front of anus; length to 17 in.

Shark, dark brown or gray to black above,paler below; eye greenish; 6 gill openings; 1 dorsal fin; length to 11 ft.
Sevengill shark, sandy gray to reddish above, paler below with scattered black spots; 7 gill openings; 1 dorsal fin; length to 8.5 ft.

Striped bass, greenish above, silver sides and white below; 6 to 9 horizontal black stripes, dorsal fin not separated; length to 4 ft.



White sturgeon, long cylindrical body is gray in color with 5 to 7 rows of sharp bony plates on sides; mouth is toothless and sucker-like with barbels protruding from snout; length to 12 in.

*most commonly caught fish by anglers as identified in 1992-93 survey by Citizens for a Better Environment(CBE)

COMMUNITIES FOR A BETTER ENVIRONMENT
Formerly 'Citizens' for a Better Environment-California

(415) 243-8373 phone
(415) 243-8980 fax
cbesf@igc.apc.org

S.A.F.E.R!
San Francisco Bay
Advocates for Environmental Rights!

500 Howard Street, Suite 506, San Francisco, CA 94105

California

Zero Dioxin

Exposure Alliance

Asian Pacific Environmental Network
Breast Cancer Action
California Communities Against Toxics
California Nurses Association
California Public Interest Research Group (CalPIRG)
Center for Environmental Health
Charlotte Maxwell Complementary Clinic
Chester Street Block Club Association
Clean Water Action
Commonweal
Communities for a Better Environment (CBE)
Communities for a Safe Environment (CSE)
Desert Citizens Against Pollution
Ecology Center
Endometriosis Association
Environmental Health Coalition
Environmental Working Group
Friends of Rose Drive
GABRIELA (Philippines)
GREENACTION
INOCHI/Plutonium Free Future Women's Network
Impart, Inc.
Madres del Este de Los Angeles, Santa Isabel
Marin Breast Cancer Watch
Mothers and Others
Northern California Interfaith Council on Economic and Environmental Justice
Pesticide Action Network
Physicians for Social Responsibility Greater San Francisco - Bay Area Chapter
Political Ecology Group
PUEBLO - People United for a Better Oakland
Resource Renewal Group
San Francisco Bay Advocates for Environmental Rights! (SAFER!)
San Francisco BayKeeper
Santa Clara Center for Occupational Safety and Health (SCCOSH)
Save San Francisco Bay Association
Shoreline Environmental Alliance (SEA)
Southeast Alliance for Environmental Justice (SAEJ)
Silicon Valley Toxics Coalition
Toxic Links Coalition
Ujima Security Council
United Anglers of California
West County Toxics Coalition
West Valley Citizens Air Watch
Women's Cancer Resource Center
Workers Acting Together for Change (WATCH)

March 24, 1998

Marty Gilles
Health, Environmental and Safety Manager
Chevron Products Company
P.O. Box 1272
Richmond, CA 94802–0272

Re: **First meeting of the Alliance and Chevron on dioxin**

Dear Ms. Gilles:

We write regarding our March 12, 1998 meeting at the Richmond Refinery in which we discussed Chevron's views on its role in the dioxin problem and the Alliance's requests for actions by Chevron on this problem.

The urgent need to reduce and eliminate all preventable sources of dioxin is the top priority for us, as we made clear in the meeting. Chevron still adds to cumulative environmental exposures that cause neurotoxicity and threaten to cause cancer and many other health problems. Low income people and people of color who live near the refinery and fish our Bay suffer the worst exposures. We want you to know that we will press on for our right to be free of this threat from all sources, including Chevron's refinery, because we hope to persuade you to join us now in the "immediate action" called for by people from all walks of life in our community.

This first meeting marked some very positive steps toward a solution. Community members and the Alliance opened a candid dialog on dioxin with key Chevron decision makers such as yourself and Refinery Manager Bill Steelman, who attended the meeting. Chevron acknowledged that its current refinery operations create and release dioxin which enters our community and our Bay. For the first time publicly, Chevron announced that it has committed to an internal goal of eliminating flaring in the refinery, and that the success of this effort could eliminate a source of dioxin. Though we suspect there are other reasons for this effort, and that we will likely need to press for public involvement and clear, prompt time lines, this is nevertheless a tremendous opportunity for Chevron to take the lead with us on a zero dioxin solution.

In addition, you committed to schedule a second meeting with us and Mr. Steelman in April, when you anticipate Chevron will be ready to begin talks regarding decisions for action.

However, we have serious concerns over several issues raised in the meeting. We are especially concerned with the view that it is acceptable for Chevron to continue putting dioxin into our environment and food chain without letting the community know about options for preventing this pollution. In fact, it is possible to remove carbon deposits from platinum reformer catalyst without destroying the catalyst or creating dioxin as a byproduct; to find safe substitutes for chlorinated solvents in the refinery; to prevent flaring; and to prevent dioxin at all its refinery sources. We question whether Chevron is saying that it will not actively support the right of people who are exposed to your ongoing dioxin emissions to know – with independently verifiable science – what the specific options for stopping these emissions are, and when they could be put into place. As we asked in the meeting, a clear answer to this question is needed.

Pointing fingers at other, supposedly bigger, dioxin sources as a reason for Chevron to do nothing more seems particularly inappropriate. Chevron is far from showing us that its emissions are insignificant, particularly since it

was clear in our meeting that Chevron has not quantified dioxin release from many sources in the refinery such as the catalytic cracker, flares, and furnaces. We also question all the uses of chlorine in the refinery, not just those which you define as also having "incomplete combustion." In addition, it is unclear to us if you are actually pointing a finger at yourself, since the supposedly bigger emission you cite is from a refinery product (diesel fuel), and in the meeting your staff could not pinpoint where in the life cycle of this product dioxin is formed. This discussion confirms our view that Chevron needs to improve source testing.

In any case, more pollution from other sources only worsens the adverse health effects of cumulative dioxin exposures, to which the refinery adds. The real point of discussions between Chevron and and the Alliance should be what we can do together at the refinery to prevent more of its dioxin pollution. We hope this principle can guide our future discussions.

Finally, during the meeting you took the position that Chevron cannot afford to address dioxin and also address its "higher priority" environmental problems. However, the company has made record profits for two years running, while its most recently reported environmental spending is at a five-year low. We were then told that all the environmental problems your staff consider a "higher priority" than dioxin are directly related to compliance with legal requirements. We find this troubling because the practice of cutting short-term environmental spending when one can get away with it under the law contradicts the voluntary dioxin pollution prevention process we seek with you. Therefore, as another next step, we would like to discuss whether Chevron will fund an independent dioxin audit effort for publicly verifiable results, as well as community-based work mentioned in our previous letter.

Though as we stated we will respect confidentiality of information and discussions when appropriate, the substance of this meeting was not confidential, and both sides agreed to take the issue out for broader discussion. Accordingly, we are sharing this letter with interested people who have a vital stake in stopping dioxin health threats. We look forward to our next meeting.

Sincerely,

Henry Clark
West County Toxics Coalition
510/ 232-3427

Greg Karras
Communities for a Better Environment
415/ 243-8373

Karen Susag
Communities for a Better Environment
415/ 243-8373

for
Torm Nompraseurt
APEN – Laotian Organizing Project
510/ 236-4616

cc: Ken Derr, Chairman and Chief Executive Officer, Chevron Corp.
Donald L. Paul, Vice President of Environmental Affairs, Chevron Corp.
W.D. Steelman, General Manager, Chevron Richmond Refinery
Loretta Barsamian, Executive Officer, RWQCB
Interested agencies and individuals

California

ZeroDioxin

Exposure Alliance

Asian Pacific Environmental Network
Breast Cancer Action
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GABRIELA (Philippines)
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Silicon Valley Toxics Coalition
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West Valley Citizens Air Watch
Women's Cancer Resource Center
Workers Acting Together for Change (WATCH)

February 6, 1998

Loretta K. Barsamian, Executive Officer
Regional Water Quality Control Board
San Francisco Bay Region
2101 Webster Street, Suite 500
Oakland, CA 94612

Re: **Comments of the California Zero Dioxin Exposure Alliance on solutions to severe ongoing dioxin pollution affecting public health and aquatic life in San Francisco Bay – Items 11 and 12 of the February 18, 1998 Regional Board Meeting Agenda**

Dear Ms. Barsamian and Members of the Board:

Thank you for scheduling Board consideration of policy options for action on dioxin – a top priority problem for public health, environmental justice, and the San Francisco Bay environment. These comments are submitted by the Alliance for your consideration and action on this urgent matter.

The Board is considering its priorities for action in Item 11 on the agenda for its February meeting. We are informed also that Board staff intend to circulate a draft "options" paper for Item 12 discussing possible actions to address dioxin pollution, to be considered for adoption by the Board in future hearings.

Accordingly, we ask that these comments be considered by the Board under both agenda items 11 and 12, and we plan to make additional comments upon review of the staff options paper.

THE PROBLEM

Approximately 28 Bay Area sources create dioxin pollution on an ongoing basis. *See box, next page.* Measurements confirm that these sources release "dioxin" – chlorinated dibenzo-p-dioxins, dibenzofurans, and biphenyls (PCBs) – including the most toxic of these compounds. For example, the presence of 2,3,7,8-TCDD is confirmed by tests of air emission from the Palo Alto sewage sludge incinerators[1] and internal waste water at the Chevron oil refinery in Richmond.[2]

Despite the use of traditional "end of pipe" treatment, existing data confirm significant ongoing dioxin release from these known sources – and possibly others – to the Bay and to streams. Dioxin exceeds water quality-based effluent limit values in at least 27 measurements of treated waste water discharged from oil refineries and sewage treatment plants.[3] Recent analyses of storm water runoff confirm ongoing contamination via dioxin fallout from air emission as well. In 97% of these runoff analyses, dioxin exceeds water quality criteria. In half of the runoff water tested in Area streams, dioxin exceeds these health-based criteria by at least 350 times.[4]

Contrary to at least one industry leader's claim that these picogram-per-liter levels in our waters are of little concern,[5] a single picogram of dioxin contains about a billion molecules, each of which can attach to a receptor on a protein in our cells which then attaches to our genes.

The fact that dioxin is present in air and water emissions in tiny-but-toxic amounts means we need to re-examine the traditional response to pollution. Currently used compliance sampling and analysis methods cannot detect and measure an average of 87% of the dioxin compounds in Bay Area effluent samples that contain dioxin. The most toxic compounds are seldom detected and quantified by these tests.[3]

Dioxin amounts too small to "see" in these controlled laboratory conditions surely cannot be captured fully by treatment systems in real-world factory and sewage plant conditions.

Further, present government estimates of the *amounts* of these source releases – which vary wildly and each point to a different "biggest" source[6] – show that current measurement methods do not quantify dioxin emission from sources as accurately as most other pollutant emissions of concern are quantified.

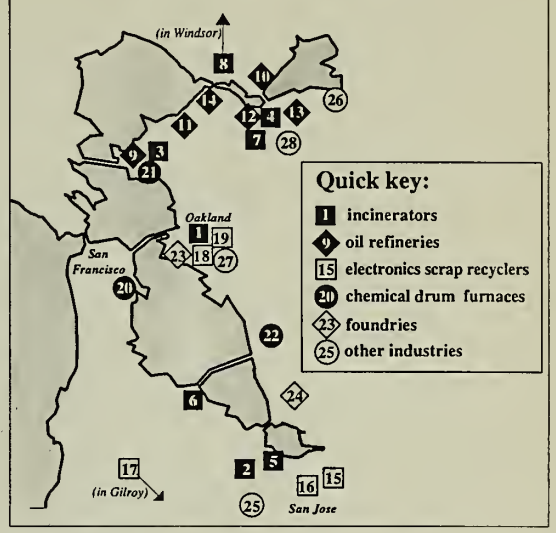
Thus, significant dioxin pollution continues despite the use of old pollution management methods, which cannot capture and control dioxin after it is produced, and do not even measure the amount released at the level of accuracy used in past pollution control strategies.

Once it is produced as an unwanted byproduct, dioxin is inevitably released in the winds and currents to accumulate in soil and sediment and concentrate in our food chain and in our bodies. In our cells, it attaches to specialized proteins which then turn our genes "on" and "off" inappropriately. Dioxin contamination is found in fish, beef, poultry and dairy products nationally.[7] Most of our exposure – about 95% – is through food, and a significant portion of the dioxin in our food was released initially to the air.[8]

Dioxin levels in humans today are far greater than the near-zero levels a hundred years ago and earlier. *See box, next page.*

Bioaccumulation of dioxin results in "hot spot" exposure levels in aquatic food chains affected by industrial sources. Dioxin contamination reaches health advisory levels in fish throughout

Bay Area Dioxin Sources



Source numbers indicate locations on the map:

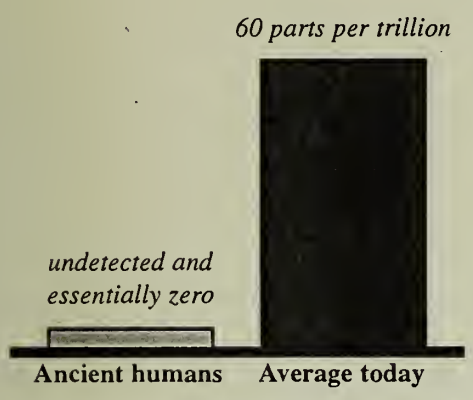
1. Integrated Environmental Systems medical waste incinerator
2. Stanford U. Hospital med. waste incinerator (historic source)
3. Chevron Chem. hazardous waste incinerator (historic source)
4. Shell Oil Co. refinery waste incinerator
5. Palo Alto Regional WQCP sewage sludge incinerator
6. San Mateo Subregional WQCP sewage sludge incinerator
7. Central Contra Costa San. Dist. sewage sludge incinerator
8. Standard Structures Inc. industrial wood incinerator
9. Chevron Products Co. Richmond oil refinery
10. Exxon Co. USA oil refinery
11. Pacific Refining Co. oil refinery
12. Shell Oil Co. oil refinery
13. Tosco Refining Co. Avon oil refinery
14. Tosco Refining Co. Rodeo oil refinery
15. Micro Metallics Corp. printed circuit scrap recycler
16. ECS Refining printed circuit scrap recycler
17. Boliden Metech printed circuit scrap recycler
18. Pacific Electric Motor Co. scrap electric wire recovery
19. General Electric scrap electric wire recovery
20. Gonzales Steel Drums steel drum reclamation furnace
21. Myers Drums steel drum reclamation furnace
22. Container Management Service drum reclamation furnace
23. American Brass and Iron iron and steel foundry
24. U.S. Pipe iron and steel foundry
25. Kaiser Cement Corp. cement kiln
26. Dow Chemical Co. organic chemical mfg. (potential source)
27. Custom Alloy Scrap Sales Inc. aluminum scrap recycler
28. GWF Power Systems coke combustion (five plants)

Additional sources not mapped:

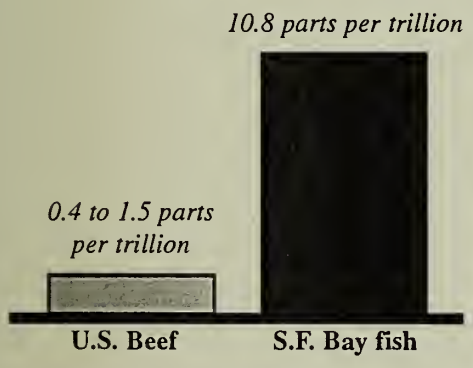
Diesel fuel production and use in vehicles
PCBs release from old electrical equipment. and other sources

Source: Compilation by CBE of sources identified by BAAQMD and RWQCB records, reports from measurements of dioxin in air emissions and effluent in agency files, and process chemistry information.

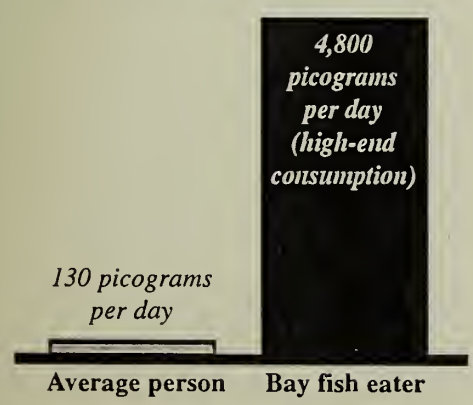
Dioxin, furan and PCBs levels in human tissue, as TEQ. (USEPA, 1994 draft.)



Dioxin, furan and PCBs TEQ in beef and S.F. Bay white croaker.[10]



Average dioxin, furan and PCBs TEQ intake v. eating 1 lb/d of Bay croaker.[8,10]



San Francisco Bay.[9] In white croaker from the Bay, the presence of 2,3,7,8-TCDD and at least 16 other dioxin-like compounds is confirmed, and the average dioxin toxicity equivalence (TEQ) in the fish exceeds dioxin levels measured in beef from the general food supply by at least 600%.[10] *See middle box.*

Surveys confirm that some people – mainly people of color fishing for food – eat up to a pound of Bay fish daily. At this "high-end" consumption rate, anglers ingest as much as 35 times more dioxin than the already-dangerous average in the general population.[8,10] *See bottom box.* Although no tissue measurements exist for Bay anglers, Bay harbor seals that eat these fish have PCBs blood levels twice those associated with immunotoxicity and a population crash in European seals.[11]

The USEPA estimates that eating just a quarter pound of Bay fish daily causes cancer risks to increase by a factor of nearly one in 1,000 due to dioxin and PCBs in the fish.[12] This incremental cancer risk is 100 to 1,000 times greater than California has considered "acceptable" in the past. Thus, despite the incomplete scope and frequency of food chain monitoring for dioxin in San Francisco Bay, ample data show Bay "hot spot" exposures which are extremely serious, given dioxin's toxicity.

Dioxin is a known human carcinogen according to the World Health Organization. Exposure to it is associated with a broad range of toxic effects, which also include endometriosis, birth defects, testicular atrophy, diabetes, slow learning and others. *See box, next page.* Dioxin effects are found in the reproductive, immune, developmental, nervous, endocrine and cardiovascular systems.[13] Equally alarming, it elicits many of these effects at an extremely small dose.

Extensive laboratory and field research with many species indicates that dioxin causes several effects at or near exposures that are already experienced by people in the general population.[14] One such effect is found also in field studies of thousands of children in five separate populations.

These children were exposed to dioxin compounds, including PCBs, through their mothers. Dioxin concentrates in breast milk, and crosses into the womb. Nursing infants are exposed to about 50 times more dioxin per pound of body weight than adults.[15] Exposure in the womb – during especially sensitive stages of development – may be greater still.[16]

Children of highly exposed mothers in Japan and Taiwan had persistent low IQ and other symptoms of dioxin poisoning. Children of mothers who ate moderate amounts of contaminated fish from Lake Michigan had smaller heads at birth and subtle slow learning through age four. Smoking, lead exposure and other factors were ruled out as causes. In the general population with no special exposure, children of mothers at the highest 5-10% of average exposure levels were affected by measurable slow learning through age two. *See bottom box.*

Thus, dioxin appears to cause developmental neurotoxicity in about one in ten children in the general population, *may* cause other effects which are seen in the population and are not fully explained by other causes, and poses a more severe health threat for people exposed to hot spot levels from eating Bay fish.

Bay aquatic life are affected by dioxin. Apparent reproductive effects in cormorants in the Bay are correlated with dioxin-like toxicity and PCBs levels.[17] Adverse effects on fish reproduction are similarly linked to PCBs in starry flounder from the Bay.[18] Bay harbor seal blood levels exceed those toxic to another population of harbor seals, as discussed above.[11]

Ongoing dioxin pollution of the Bay causes significant risks of cancer and other serious health problems, and apparent childhood neurotoxicity and reproductive effects in aquatic life. However, present scientific tools cannot identify *all* toxic effects of dioxin *or* confirm a lower exposure level free from effects. Thus, we *know* dioxin pollution causes harm now, *but we do not know* a lower level that will not cause harm, other than the near-zero level observed before the pollution started.

SOLUTIONS

Effective Regional Board action to solve this severe water quality problem must address key issues outlined above. It must:

1. stop ongoing pollution that is not effectively controlled *after* dioxin is created at the source;
2. provide a margin of safety as required by sound public health policy and by law, when the only "safe" level is zero;
3. confirm progress and effectiveness in an enforceable manner when significant releases are hard to measure;
4. address many sources promptly in as comprehensive, orderly, and equitable a fashion as is feasible; and

Toxic effects associated with dioxin:

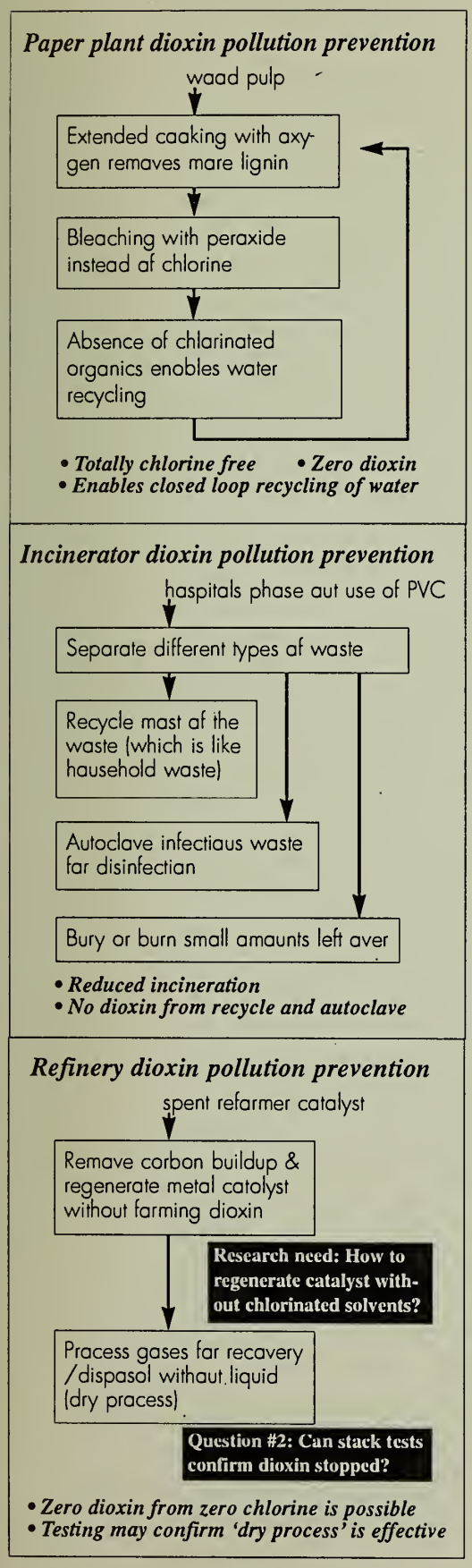
- **cancer**
- **chloracne**
- **birth defects**
- **developmental toxicity**
- **reproductive toxicity**
- **immunotoxicity**
- **allergies**
- **hormonal changes**
- **decreased testosterone**
- **diabetes**
- **altered enzyme action**
- **endometriosis**
- **decreased testicle size**
- **slow learning**
- **decreased birth weight**
- **decreased growth**
- **delayed development**

Source: USEPA, 1994. Draft Health Assessment Document for 2,3,7,8-Tetrachlorodibenzo-p-Dioxin (TCDD) and Related Compounds, Vol III (EPA/600/BP-92/001c).

Neurotoxicity associated with dioxin (& PCBs) in children exposed before birth as dioxin crosses into the womb:

Mother highly exposed. 1,100 children.	→	Children have low IQs (about 70), and other effects.
Mother ate moderate amount of contaminated fish. 230 children.	→	Children have small heads and subtle slow learning lasts through age 4.
Mother had only average exposure. 900 children.	→	5% to 10% of children have slow learning at age 2.

Sources: Schecter, A.J., 1997; Rogan and Gladen, 1992; Fein et al., 1984; Jacobson et al., 1990; Jacobson et al., 1992; Gladen et al., 1988; Gladen and Rogan, 1991; and Pluim et al., 1992. See especially the tape of Dr. Schecter's presentation to the Board at the May 7, 1997 science workshop on dioxin.



5. allow full involvement of the people most exposed to dioxin and fall within the Board's jurisdiction to enforce it.

A pollution prevention approach – identification and use of methods to prevent ongoing creation of dioxin at its root sources – can stop dioxin before it is created at the source, provide a margin of safety, and confirm progress in a readily measurable manner. Indeed, this approach has achieved zero dioxin at some sources.

CBE and Dr. Peter deFur of Virginia Commonwealth University analyzed dioxin pollution prevention data in advance of the Board's science workshop on May 7, 1997. We found that some industries have achieved zero dioxin already. We identified and described a "pollution prevention approach" for dioxin which is illustrated by examples from three industries:

• Paper plants create dioxin by bleaching wood pulp with chlorine to make paper (like bleaching clothing but with more heat and chemicals). By cooking the pulp longer with oxygen, and using peroxide instead of chlorine, some plants now achieve zero dioxin. *See top box.*

• Medical incinerators create dioxin by burning hospital waste containing chlorinated plastics and other materials. Use of polyvinyl chloride (PVC) can be phased out, and disposable plastic instruments can be replaced with reusable ones. Much hospital waste, like household waste, can be recycled. Much of the remaining infectious waste can be disinfected by steam "autoclaves" or buried. This can reduce or eliminate incineration, and creation of dioxin, from this source. *Middle box.*

• Catalytic reforming is one root cause of dioxin pollution from oil refineries. Dioxin is created in the hot gas formed when carbon buildup is burned off metal reformer catalyst so that the expensive metal can be reused. Chlorinated solvents are added to the process. "Off the record," some refiners say they stopped creating dioxin by processing the hot gas without liquid. If tests show this does not work, dioxin may be eliminated by removing the carbon from the metal without solvents. *Bottom box.*

This approach has solved the problem of ongoing dioxin pollution at several sources, such as the Louisiana Pacific paper plant in Samoa, California. It yields measurable, verifiable evidence of progress. For example, when a pulp paper plant switches from chlorine to peroxide bleaching, this action is readily veri-

fied, in contrast to the old "pollution allowance" approach which cannot verify compliance with discharge limits using current compliance monitoring tools. This approach can solve the problem of ongoing dioxin pollution at all preventable sources, if pollution prevention audits are implemented effectively.

The comprehensive plan for zero dioxin which we propose can apply this pollution prevention approach to address the various regional dioxin sources promptly in an orderly, equitable fashion, and meet Clean Water Act and Porter Cologne Water Quality Act requirements using existing tools that are familiar to the Board:

A general prohibition on dioxin discharge to waters of the San Francisco Bay region can, like previous prohibitions used by the Board, be implemented with time schedules linked to various milestones and accomplishments. There is broad policy and scientific support for this action. The prestigious International Joint Commission on Great Lakes water quality calls for a "virtual elimination" and "zero discharge" strategy for dioxin and all persistent, bioaccumulative toxics,[19] several Bay Area Representatives to Congress call for a "dioxin phaseout standard,"[20] and a state Health Department Deputy Director has said that "the only viable course is zero dioxin."[21]

The Board has the authority to include prohibitions and 0.0 effluent limitations in policy resolutions or in the Basin Plan. The Board has adopted many basin wide prohibitions for certain types and areas of discharge. *See Basin Plan Discharge Prohibitions - Table 4-1.* The Basin Plan contains an effluent limitation for residual chlorine of 0.0 and a prohibition of waste water discharges south of the Dumbarton Bridge, etc. Such a prohibition is an essential objective in a strategy to reduce dioxin discharges. It is the foundation for a comprehensive approach to address dioxin pollution. Components of the prohibition include pollution prevention audit, legal, and monitoring tools that are familiar to the Board.

Pollution prevention audits like those the Board has used to eliminate chromium in cooling towers at the Chevron refinery and prevent copper and nickel pollution from South Bay industries can identify options for sources to stop creating dioxin, as well as the dates of their implementation. The Board may investigate the quality of waters within the region. In doing so, the Board may require any person who discharges waste or is suspected of discharging waste to furnish appropriate technical and monitoring reports. Thus, requests for technical reports could be made to both identify sources within industrial processes and to propose alternatives that produce 0.0 dioxin discharges. This could reduce the need for more extensive effluent discharge monitoring over time.

The Basin Plan establishes a pollution prevention program designed to eliminate or minimize the discharge of toxic wastes in waters of the region. The program emphasizes pollutant source reduction "upstream" of treatment plants involving conservation, material substitution, product substitution and process modifications. The Basin Plan proposes general and targeted pollution prevention programs by sewage treatment plants, direct industrial discharger pollution prevention and comprehensive urban runoff control programs. The pilot pollution prevention audit program that we request clearly fits within this Basin Plan framework. Audits done in consultation with the public can assure public participation.

Pollution prevention audit findings can then support zero dioxin best management practices (BMPs) and zero discharge limits for direct industrial discharge sources. Similar investigations of PCBs in electrical equipment and dioxin release from consumer products and diesel can be performed by municipal dischargers, the Board, and others and can support BMPs for these sources.

Legal requirements to address threatened releases to water, and to establish "total maximum daily loads" for the prohibition's objective of zero dioxin can assure that audits are performed rigorously and that zero dioxin options are implemented equitably. Zero discharge limits established under "waste load allocations" for direct discharges, and zero dioxin "best management practices" established under "load allocations" can provide ultimately enforceable requirements.

Improved monitoring can demonstrate the effectiveness of ongoing efforts, track progress and confirm compliance. More species, locations and seasons can be tested in the food chain. Untested processes within ongoing sources can be tested. Compliance can be confirmed by more sensitive chemical sampling methods, and verification of BMPs identified by audits. After better monitoring establishes baseline conditions, ongoing monitoring can track progress and effectiveness.

This plan to use existing Water Board regulatory tools for pollution prevention falls within the Board's jurisdiction to enforce it. It is the legislative intent of the Porter Cologne Water Quality Act that the state must be prepared to exercise its full power and jurisdiction to protect the quality of waters in the state from degradation. Testimony at the hearing will clearly indicate that dioxin discharges are affecting and threatening to further affect human health and aquatic life, limiting beneficial uses of waters and degrading water quality of the San Francisco Bay region.

The Board has available many different regulatory mechanisms to exercise its jurisdiction to control discharges of dioxin to waters of the region. Consequently, we are asking that the Board exercise its full power and jurisdiction to control these dioxin discharges.

Generally, the Board regulates "waste discharges" that cause or threaten to cause pollution, nuisance, or degrade water quality and beneficial uses of those waters. "Waste" is defined very broadly to include sewage and any and all other waste substances, liquid, solid, gaseous, associated with human habitation or from any producing, manufacturing, or processing operation of whatever nature. *See Water Code § 13050 (d).* Pollution and nuisance are also broadly defined.

Section 402(p)(3) of the Clean Water Act provides the Board with authority to regulate dioxin in storm water. Section 402(p)(3)(A) of the Act requires the issuance of NPDES permits for storm water discharges associated with industrial activity. The Act makes clear that such permits shall contain provisions necessary to assure compliance with state water quality standards. *See sections 402(p)(3)(A) and 301(b)(1)(C).*

Process air emissions are well recognized as a source of pollutants in industrial storm water. The Regional Board has authority under section 308 of the Act to require an industrial storm water discharger to conduct a study of its process air emission sources to determine the origin of pollutants discharged from the facility. For certain facilities (see the list on page 2) process air emissions cause, or are suspected to cause, dioxin to be discharged from the facility in storm water runoff. The Regional Board should use its authority under sections 402(p) and 308 of the Act to require studies of process air emissions sources of dioxin by these facilities.

In sum, stopping dioxin before it is created is the only known solution to a severe environmental health threat. The comprehensive plan we propose provides a clear, achievable and measurable objective which is universal, equitable, and certain. It offers maximum flexibility in implementation as long as the objective is achieved promptly. It supports meaningful public involvement in audits, and provides ultimately enforceable requirements since the shared undertakings must be applied rigorously. Finally, its implementation will leverage long-term investment in sustainable manufacturing in the state, and free each "dioxin-free" source from the expense of future dioxin regulation for the long term.

REQUEST FOR ACTION

We respectfully request that the Board act now on two initial components of our proposal which are needed to address dioxin pollution promptly, and to begin an effective comprehensive solution:

1. Severe dioxin pollution threatens or harms public health, fishing and aquatic life throughout San Francisco Bay and our region.

The Regional Board should designate dioxin pollution as a high priority for immediate action to restore water quality and protect public health.

2. The Board and the public have a right and a need to know about options for ending the production of dioxin as a useless byproduct released from ongoing sources. The Alliance is actively involved in promoting zero dioxin options for many known dioxin sources, including the Chevron refinery, the Integrated Environmental Systems (IES) incinerators, and sewage sludge handling by the City of Palo Alto. Dioxin release from these three ongoing sources is confirmed, and we have identified very promising pollution prevention opportunities for each of them. Unfortunately, Chevron and IES have declined to investigate these opportunities with us, and Palo Alto recently proposed discontinuing the investigation it had begun with us.

The Board should direct staff to prepare a Pilot Pollution Prevention Audit Program to include at least these sources, for Board review at the April, 1998 meeting.

3. Ample scientific evidence demonstrates that the old "end of pipe" pollution treatment approach has failed to capture and manage dioxin adequately to protect public health and the environment fully, and that an alternative approach which intervenes before the useless byproduct is created to prevent its formation is effective. In addition, while evidence demonstrates serious harm from current dioxin levels, present scientific tools cannot identify all dioxin effects or any effect-free level other than zero. Therefore, eliminating further dioxin release is necessary to provide the margin of safety for health protection required by Clean Water Act §303 and sound public health policy.

Further, while compliance with a zero dioxin prohibition cannot be expected to be achieved immediately, compliance can be measured by participation in pollution prevention audits, best management practices and zero discharge limits based on such audits, and in accordance with time schedules adopted by the Board. The Board has used this approach in other new Basin Plan provisions.

The Board should propose and establish a 0.0 dioxin discharge prohibition for Bay Area waters.

Thank you for considering our comments on this urgent issue for public health, environmental justice, and the Bay environment. We look forward to working with you, your staff, and the Board for a dioxin-free future. In this regard, we also hope for the Board's support of our efforts to persuade the Air Resources Board to collaborate in addressing sources of dioxin associated with diesel fuel. Finally, we hope that you will consider the possibility of scheduling future key hearings on dioxin in the evening, or at other times and places when working people are better able to attend.

As Gary Grimm stated in his recent letter, we would like to discuss these issues and others related to our testimony before the February 18, 1998 Board meeting. Please contact me if you or your staff have any questions or wish to discuss these issues with representatives of the Alliance.

On behalf of the California Zero Dioxin Exposure Alliance,

Greg Karras, Senior Scientist
Communities for a Better Environment
500 Howard Street, Suite 506
San Francisco, CA 94105
Phone: 415/ 243-8373

cc: Interested agencies and individuals

NOTES

[1.] Carnot, 1996. PCDD and PCDF emissions summary, Palo Alto Regional Water Quality Control Plant Sewage Sludge Incinerator. 2,3,7,8-TCDD detected at 3.3 to 5.7 pg/m^3 in 3 tests during August, 1996.
[2.] USEPA, 1994. Preliminary Data Summary for the Petroleum Refining Category. 2,3,7,8-TCDD detected at 11,000 and 2,300 pg/L in 2 tests of Chevron Richmond refinery reforming during July, 1991.
[3.] Self monitoring reports submitted to the RWQCB by the Tosco, Unocal, and Pacific Refining oil refineries and the San Francisco Southeast, San Jose/Santa Clara, Sunnyvale, Union Sanitary District, and West County Agency sewage treatment plants.
[4.] RWQCB, 1997. Survey of Storm Water Runoff for Dioxins in the San Francisco Bay Area. Feb., 1997.
[5.] Correspondence from W.D. Steelman, General Manager, Chevron Richmond Refinery, to Communities for a Better Environment. Dated November 6, 1997.
[6.] Estimates presented in the May 7, 1997 dioxin workshop of the RWQCB: charts entitled "National Dioxin Emission Inventory - EPA Draft "Locating and Estimating" Document"; "BAAQMD Dioxin Emission Inventory"; and "Mass Discharge of Dioxins and Furans to the Bay."
[7.] USEPA, 1994. Draft Dioxin Reassessment Documents.
[8.] Testimony of Dr. William Farland in the dioxin science workshop held by the RWQCB May 7, 1997.
[9.] OEHHA, 1994. Health Advisory on Catching and Eating Fish, Interim Sport Fish Advisory for San Francisco Bay. Office of Environmental Health Hazard Assessment, California EPA.
[10.] RWQCB et al., 1995. Contaminant Levels in Fish Tissue from San Francisco Bay; and USEPA, 1994. Draft Dioxin Reassessment Documents (see especially EPA's calculated average beef concentration and the maximum dioxin/furan/PCBs beef concentration measured by Schecter, 1993).
[11.] Kopec and Harvey, 1995. Toxic Pollutants, Health Indices, and Population Dynamics of Harbor Seals in San Francisco Bay, 1989-1992. Moss Landing Marine Laboratories Technical Publication 96-4.
[12.] USEPA, 1997. Economic Analysis of the Proposed California Water Quality Toxics Rule. Page 8-11.
[13.] Testimony of Dr. William Farland and Dr. Arnold Schecter, May 7, 1997 RWQCB science workshop.
[14.] DeVito et al., 1995. Comparisons of Estimated Human Body Burdens of Dioxinlike Chemicals and TCDD Body Burdens in Experimentally Exposed Animals. Environmental Health Perspectives 103(9): 820-831.
[15.] Testimony of Dr. William Farland, USEPA and the May 7, 1997 RWQCB science workshop.
[16.] Gladen et al., 1988. Development after exposure to polychlorinated biphenyls and dichlorodiphenyl dichloroethene transplacentally and through human milk. The Journal of Pediatrics 113(6): 991-995.
[17.] Davis et al., 1996. Field application of fluorescence-based catalytic assays for measuring cytochrome p450 induction in birds. American Chemical Society; Davis et al., 1997. Hepatic ethoxyresorufin-*o*-deethylase activity and inducibility in wild populations of double-crested cormorants *(Phalacrocorax auritus)*. Environmental Toxicology and Chemistry 16(7): 1441-1449; and Davis J.A., 1997. Concentrations and effects of organochlorine contaminants in double-crested cormorant embryos from San Francisco Bay. Doctoral Dissertation. University of California at Davis.
[18.] Spies et al., 1988. Effects of organic contaminants on reproduction of the starry flounder *Platichthys stellatus* in San Francisco Bay *[part I]*. Marine Biology 98: 181-189; and Spies and Rice, 1988. Effects of organic contaminants on reproduction of the starry flounder *Platichthys stellatus* in San Francisco Bay *[part I]*. Marine Biology 98: 191-200.
[19.] See eg: International Joint Commission, 1994. Seventh Biennial Report on Great Lakes Water Quality.
[20.] Letter from Rep. Anna Eshoo and others to Felicia Marcus, EPA 9 Administrator. April 9, 1996.
[21.] Statement of Dr. Robert Stephens. May 6, 1997 Community Hearing on Dioxin. Berkeley, CA.

California

ZeroDioxin

Exposure Alliance

Asian Pacific Environmental Network
Breast Cancer Action
Breast Cancer Fund
California Communities Against Toxics
California Nurses Association
California Public Interest Research Group (CalPIRG)
Center for Environmental Health
Charlotte Maxwell Complementary Clinic
Chester Street Block Club Association
Clean Water Action
Commonweal
Communities for a Better Environment (CBE)
Communities for a Safe Environment (CSE)
Desert Citizens Against Pollution
Ecology Center
Endometriosis Association
Environmental Health Coalition
Environmental Working Group
Friends of Rose Drive
GABRIELA (Philippines)
GREENACTION
INOCHI/Plutonium Free Future Women's Network
Impart, Inc.
Madres del Este de Los Angeles, Santa Isabel
Marin Breast Cancer Watch
Mothers and Others
Northern California Interfaith Council on Economic and Environmental Justice
Pacific Coast Federation of Fishermen's Associations (PCFFA)
Pesticide Action Network
Physicians for Social Responsibility Greater San Francisco - Bay Area Chapter
Political Ecology Group
PUEBLO - People United for a Better Oakland
Resource Renewal Group
San Francisco Bay Advocates for Environmental Rights! (SAFER!)
San Francisco BayKeeper
Santa Clara Center for Occupational Safety and Health (SCCOSH)
Save San Francisco Bay Association
Shoreline Environmental Alliance (SEA)
Southeast Alliance for Environmental Justice (SAEJ)
Silicon Valley Toxics Coalition
Toxic Links Coalition
Ujima Security Council
United Anglers of California
West County Toxics Coalition
West Valley Citizens Air Watch
Women's Cancer Resource Center
Workers Acting Together for Change (WATCH)

Statement

of the California Zero Dioxin Exposure Alliance

Dioxin exposure is a clear threat to human health and the environment. Dioxin has been linked to cancer, reproductive disorders (including endometriosis), developmental, immunological and other health problems.

Numerous studies and years of government and industry research validate the public's concerns that the continued production and subsequent exposure to dioxin create a clear threat to human health and the environment.

As dioxin is the unintended by-product of industrial processes involving the use of chlorinated chemicals, it is with the utmost urgency that we move to:

1. Halt virtually all waste incineration, including all municipal waste, hazardous waste, radioactive waste, cement kiln incineration, chemical weapons, boilers and industrial burners, sewage sludge incinerators, coal, wood and petroleum energy burners, and most medical waste; incineration will be reserved for only that small amount of highly infectious medical waste not amenable to source reduction or less toxic methods of disposal, until safer and more effective disposal alternatives are available;

2. Expose and stop disproportionate impacts on low-income communities or communities of color;

3. Phase out the industrial uses of chlorine and production of endocrine disrupting chemicals in petrochemical and other industries; prevent pollution at the source and support non-toxic, sustainable alternatives;

4. Develop a just transition program for workers displaced by our society's movement toward a chlorine-free society;

5. Demand the development of and access to complete information from government and industry on the sources of dioxin, including adding dioxin to the federal Toxics Release Inventory;

6. Develop and conduct biological monitoring of dioxin levels in our bodies, in the workplace and in the environment;

7. Encourage production and consumption habits for non-chlorine and non-toxic alternatives; educate consumers about health and environmental consequences of dioxin;

8. Create a sustainable environment and economy with zero dioxin emission and zero dioxin exposure.

January, 1997

Ocean Beach Pollution Threat[1]

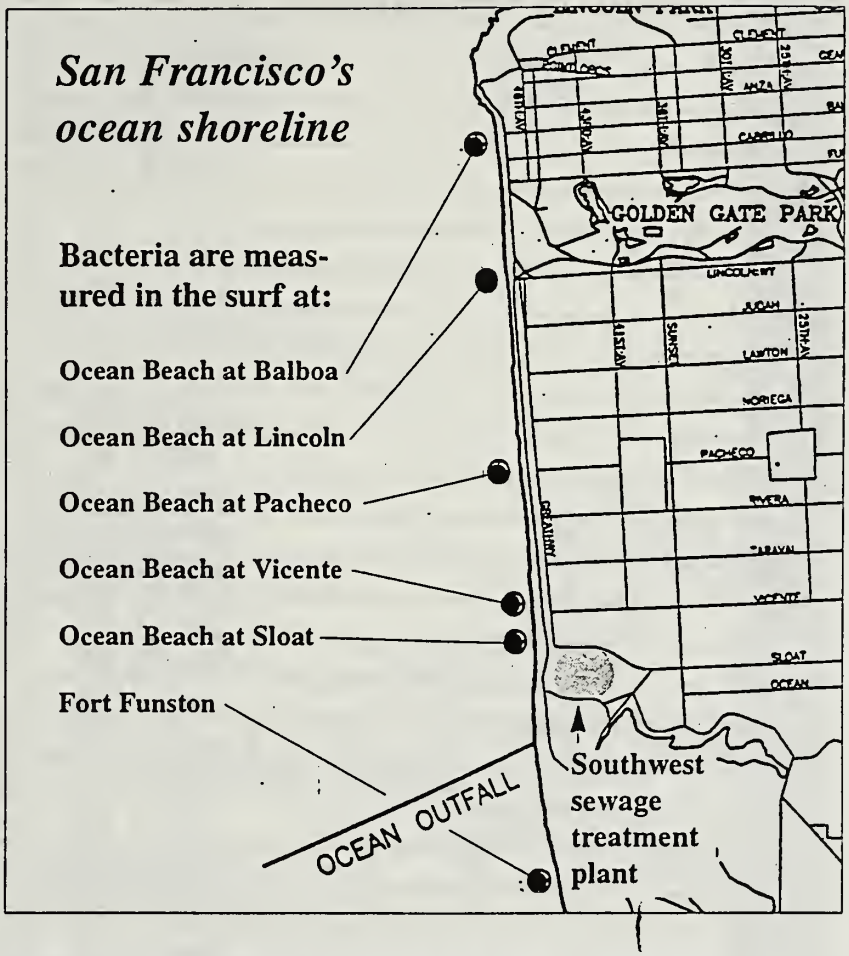
Bacteria pollution of water:

At Ocean Beach and Fort Funston Beach:

- Warnings against swimming were posted on 230 days since December, 1992.[1]
- Based on the City's monitoring[1] and government health criteria,[2] some swimmers would get sick because of bacteria on 325 days since 1993.

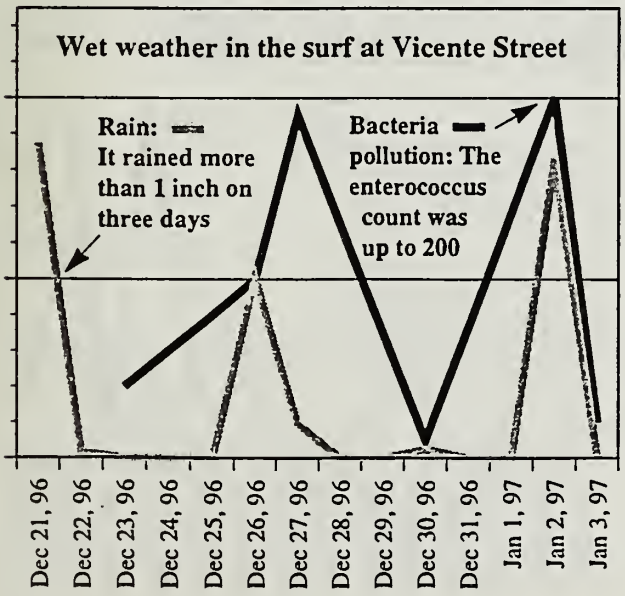
Toxic pollution of fish:

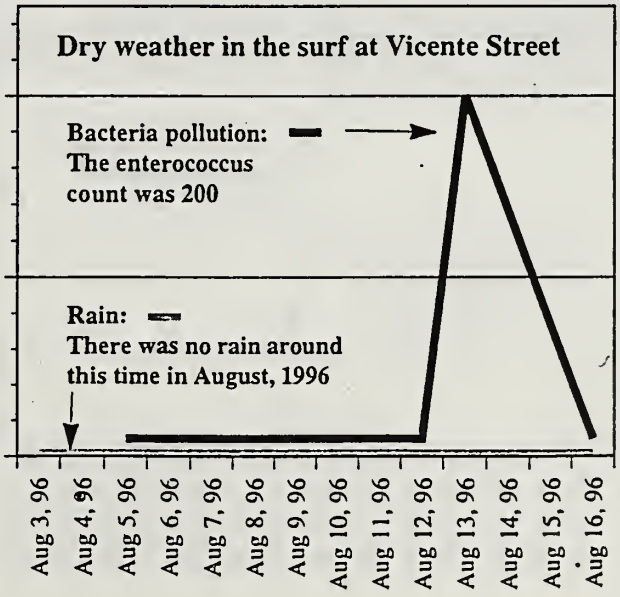
- The State issued health warnings against eating San Francisco Bay fish because of dioxin, PCBs, mercury, and pesticides in fish tested in the Bay.[3]
- Many fishermen and women eat more fish from the Bay than these warnings say is "safe."[4]



Pollution from San Francisco gets to the beach in wet *AND* dry weather:

Wet and dry weather pollution in Ocean Beach water[1,2]





Data Sources: 1. All bacteria, posting, and rain data for these waters are from the San Francisco Public Utility Commission's May 19, 1997 letter to CBE-SAFER! 2. USEPA, 1983. Health Effects Criteria for Marine Recreational Waters (EPA-600/1-80-031). These criteria indicate that at enterococcus levels of 10 per 100 milliliters water about 1% of swimmers get sick, and at 100/100 ml, about 3% of swimmers get sick. 3. Cal. EPA, 1994. Health Advisory on Catching and Eating Fish (for San Francisco Bay). 4. SAFER!-CBE surveys; and Save S.F. Bay Assn. Fishing for food in San Francisco Bay.

↘	Label	A	B
Label	Ocean Beach and Fort Funston Beach		
1	Signs posted for swimming pollution: Date posted	Date removed	Days posted
2	Dec 28, 92	Jan 27, 93	30
3	Feb 9, 93	Mar 2, 93	21
4	Mar 17, 93	Apr 22, 93	36
5	May 3, 93	May 10, 93	7
6	Nov 29, 93	Dec 10, 93	11
7	Dec 11, 93	Dec 20, 93	9
8	Dec 21, 93	Dec 22, 93	1
9	Nov 7, 94	Nov 10, 94	3
10	Nov 24, 94	Dec 1, 94	7
11	Jan 10, 95	Jan 15, 95	5
12	Feb 9, 95	Feb 17, 95	8
13	Mar 2, 95	Mar 16, 95	14
14	Mar 20, 95	Mar 30, 95	10
15	Sep 11, 95	Sep 15, 95	4
16	Dec 11, 95	Dec 20, 95	9
17	Dec 29, 95	Jan 4, 96	6
18	Jan 16, 96	Jan 24, 96	8
19	Jan 31, 96	Feb 12, 96	12
20	Apr 1, 96	Apr 4, 96	3
21	Jun 3, 96	Jun 5, 96	2
22	Nov 17, 96	Nov 20, 96	3
23	Dec 10, 96	Dec 14, 96	4
24	Dec 21, 96	Dec 24, 96	3
25	Dec 27, 96	Dec 31, 96	4
26	Jan 1, 97	Jan 6, 97	5
27	Jan 23, 97	Jan 28, 97	5
28	Total days Ocean and Fort Funston		
29	beach areas were posted since December, 1992:		230

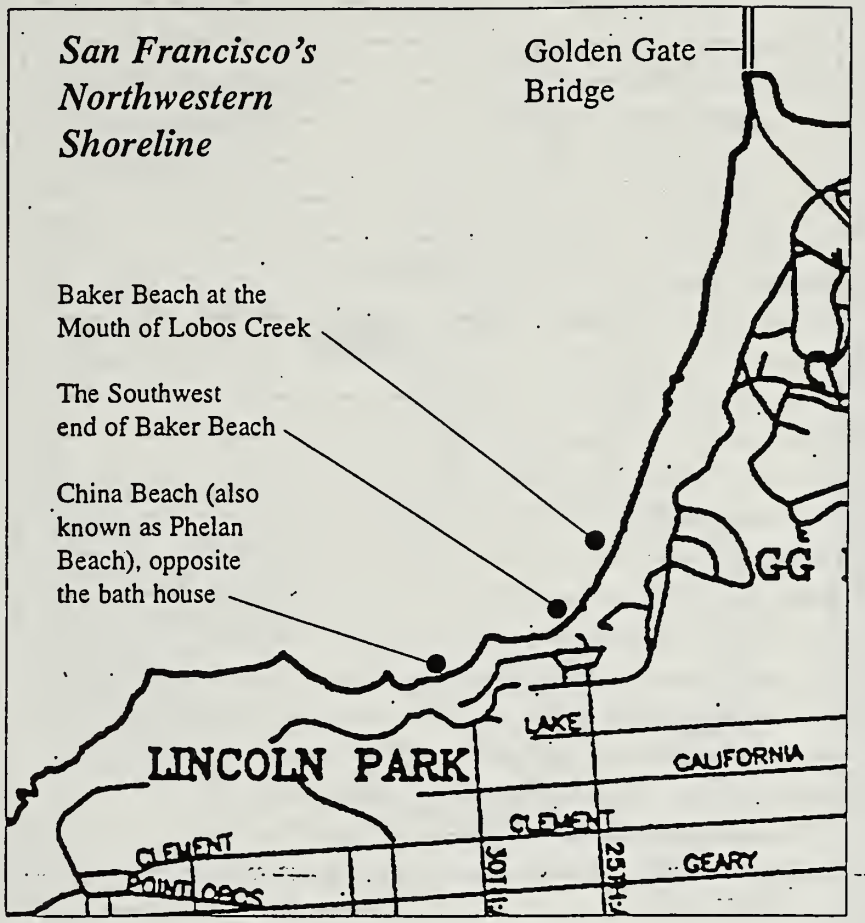
Baker Beach Pollution Threat[1]

Bacteria pollution of water:
At Baker Beach and the surrounding beach areas:

- Warnings against swimming were posted on 725 days since December, 1992.[1]
- Based on the City's monitoring[1] and government health criteria,[3] some swimmers would get sick because of bacteria on 531 days since 1993.

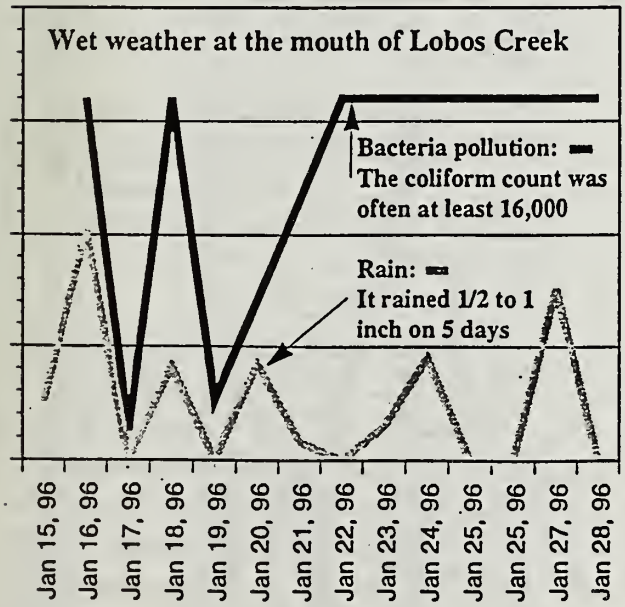
Toxic pollution of fish:
The State issued health warnings against eating Bay fish because of dioxin, PCBs, mercury, and pesticides in fish tested in San Francisco Bay.[4]

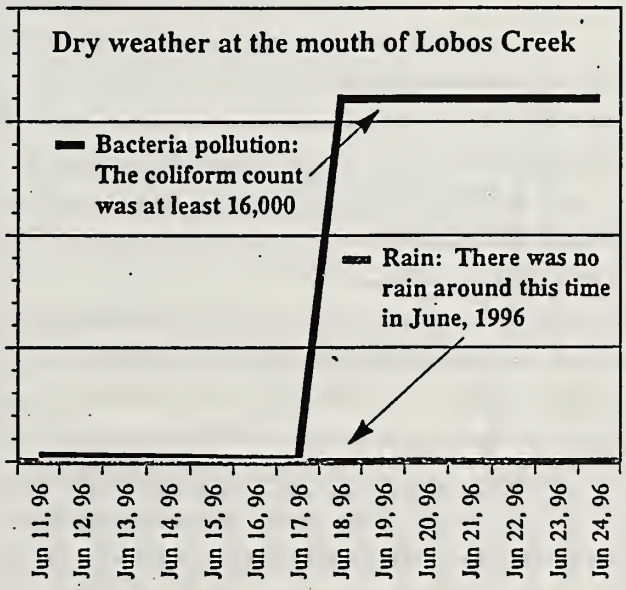
- Many fishermen and women eat more fish from the Bay than these warnings say is "safe."[5]



Pollution from San Francisco gets to the beach in wet *AND* dry weather:

Wet and dry weather pollution in Baker Beach water[1,2]





Data Sources: 1. All bacteria data from San Francisco Public Utility Commission's May 19, 1997 letter to CBE-SAFER! See also: 2. The maximum single-sample coliform standard in the 1987 San Francisco Bay Water Quality Control Plan is 10,000 per 100 ml (most probable number). 3. USEPA, 1983. Health Effects Criteria for Marine Recreational Waters (EPA-600/1-80-031). 4. Cal. EPA, 1994. Health Advisory on Catching and Eating Fish (for San Francisco Bay). 5. SFBRWQCB, 1994-5. 6. Self-monitoring reports submitted by the PUC.

↘	Label	A	B
Label	Baker Beach Area - Signs Posted for Swimming Pollution: Date Posted	Date Removed	Days Posted
1	Dec 28, 92	Jan 27, 93	30
2	Feb 9, 93	Mar 2, 93	21
3	Mar 17, 93	Apr 22, 93	36
4	May 3, 93	May 10, 93	7
5	May 24, 93	Jun 3, 93	10
6	Jun 4, 93	Jun 17, 93	13
7	Sep 24, 93	Oct 9, 93	15
8	Oct 15, 93	Oct 29, 93	14
9	Nov 3, 93	Nov 8, 93	5
10	Nov 10, 93	Nov 17, 93	7
11	Nov 28, 93	Dec 4, 93	6
12	Dec 8, 93	Dec 20, 93	12
13	Jan 5, 94	Jan 13, 94	8
14	Jan 24, 94	Mar 9, 94	44
15	Mar 25, 94	Mar 31, 94	6
16	Apr 9, 94	Apr 19, 94	10
17	Apr 23, 94	May 13, 94	20
18	May 16, 94	May 24, 94	8
19	Jun 6, 94	Jun 10, 94	4
20	Jun 17, 94	Jul 1, 94	14
21	Jul 15, 94	Jul 22, 94	7
22	Aug 16, 94	Aug 22, 94	6
23	Sep 23, 94	Sep 28, 94	5
24	Oct 4, 94	Oct 13, 94	9
25	Nov 4, 94	Dec 9, 94	35
26	Dec 12, 94	Jan 15, 95	3
27	Jan 15, 95	Feb 18, 95	34
28	Feb 23, 95	Mar 31, 95	36
29	Apr 6, 95	May 5, 95	29
30	May 10, 95	May 30, 95	20
31	Jun 14, 95	Jun 24, 95	10
32	Aug 23, 95	Aug 26, 95	3
33	Sep 11, 95	Oct 18, 95	37
34	Nov 1, 95	Nov 14, 95	13
35	Dec 2, 95	Mar 14, 96	103
36	Mar 28, 96	Apr 11, 96	14
37	May 15, 96	May 31, 96	16
38	Aug 9, 96	Aug 13, 96	4
39	Sep 18, 96	Sep 24, 96	6
40	Oct 7, 96	Nov 5, 96	29
41	Nov 17, 96	Nov 20, 96	3
42	Dec 27, 96	Dec 31, 96	4
43	Jan 1, 97	Jan 3, 97	2
44	Jan 6, 97	Jan 7, 97	1
45	Jan 14, 97	Jan 15, 97	1
46	Jan 23, 97	Jan 28, 97	5
47	Total days the Baker Beach area was posted since December, 1992:		725

Bayview-Hunters Point Pollution Threat[1]

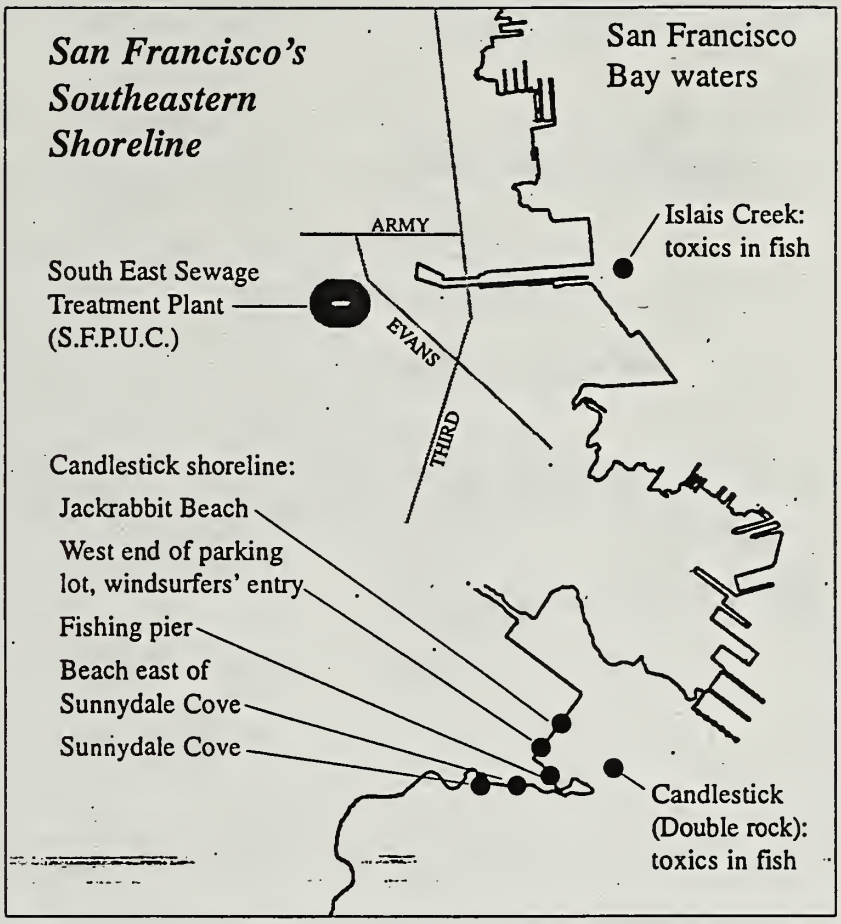
Bacteria pollution of water:

At the beaches of the Candlestick Park area:

- Warnings against swimming were posted on 115 days since January, 1993.[1]
- Based on the City's monitoring[1] and government health criteria,[3] some swimmers would get sick because of bacteria on 165 days during 1993 and 1994.

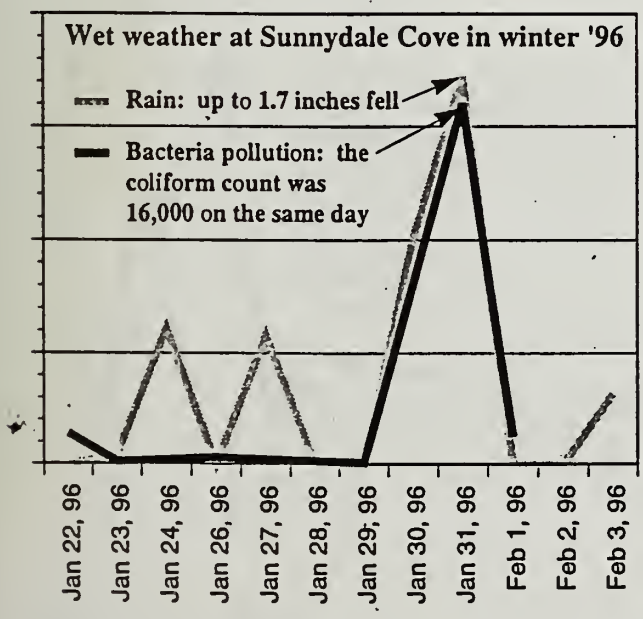
Toxic pollution of fish:

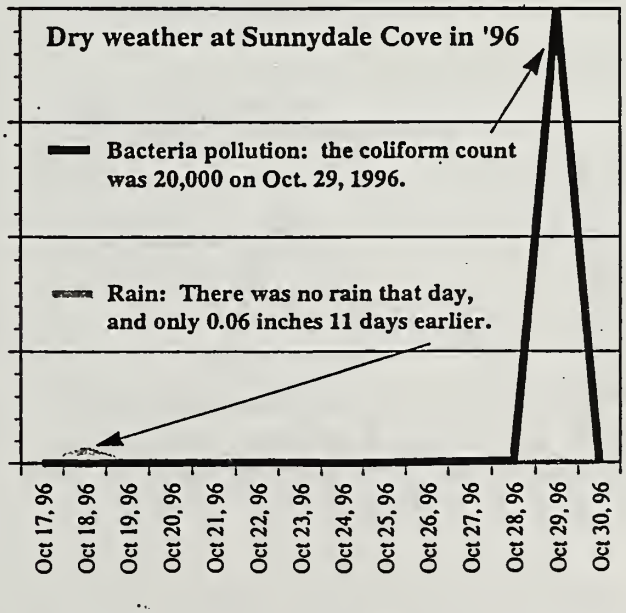
- The State issued health warnings against eating Bay fish because of dioxin, PCBs, mercury, and pesticides in fish tested at Candlestick and Islias Creek.[4]
- Fish at Candlestick had more of the toxic pollutant dioxin than fish measured anywhere else in San Francisco Bay.[5]



Pollution from San Francisco gets to the beach in wet *AND* dry weather:

Wet and dry weather pollution in Candlestick beach water[1,2]





Data Sources: 1. All bacteria data from San Francisco Public Utility Commission's May 19, 1997 letter to CBE-SAFER! See also: 2. The maximum single-sample coliform standard in the 1987 San Francisco Bay Water Quality Control Plan is 10,000 per 100 ml (most probable number). 3. USEPA, 1983. Health Effects Criteria for Marine Recreational Waters (EPA-600/1-80-031). 4. Cal. EPA, 1994. Health Advisory on Catching and Eating Fish (for San Francisco Bay). 5. SFBRWQCB, 1994-5.

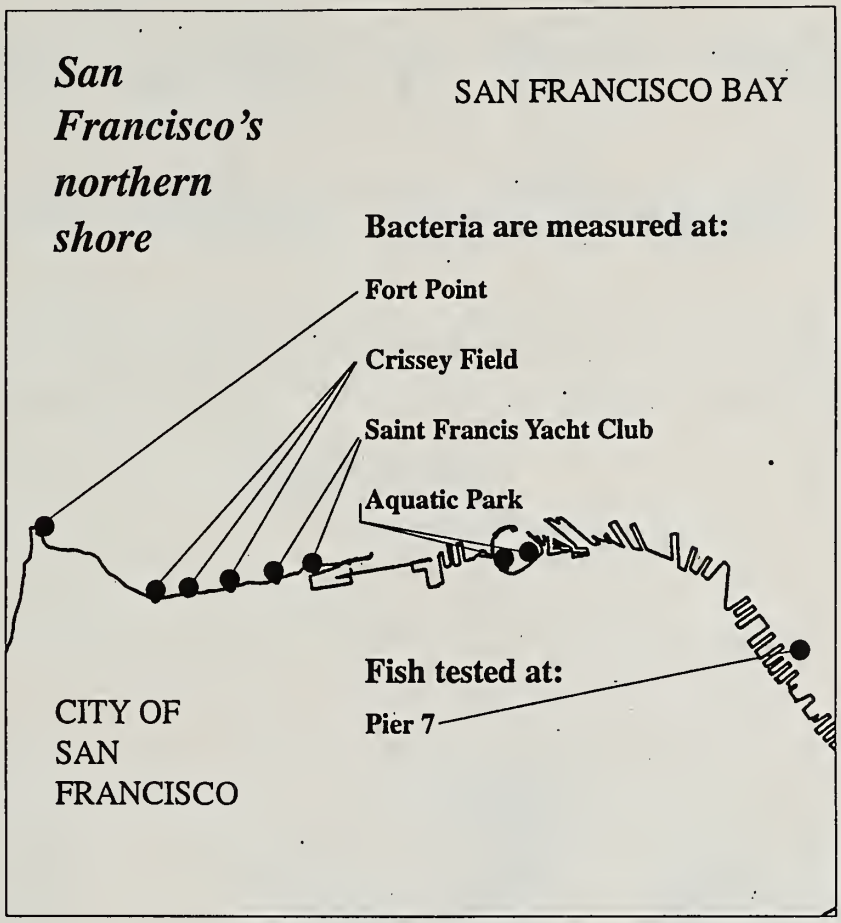
Chinatown-North Beach Pollution Threat[1]

Bacteria pollution of water:
At Fort Point, Crissey Field, the Saint Francis Yacht Club and Aquatic Park:

- Warnings against swimming were posted on 110 days since November, 1993.[1]
- Based on the City's monitoring[1] and government health criteria,[2] some swimmers would get sick because of bacteria on 242 days during 1993 and 1994.

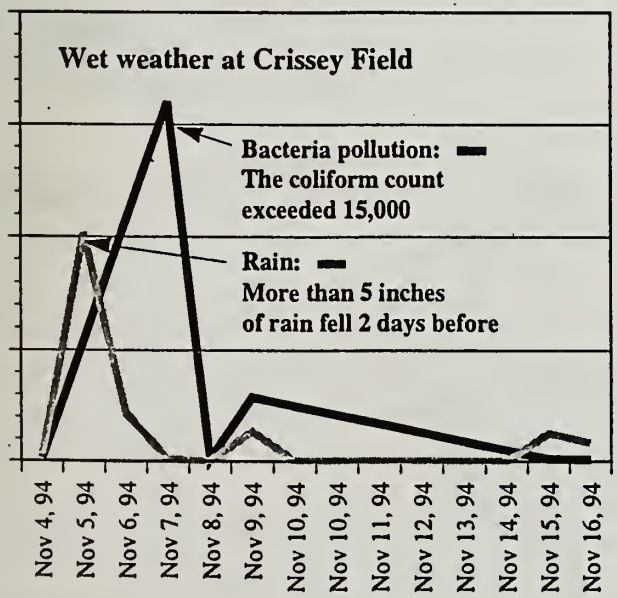
Toxic pollution of fish:

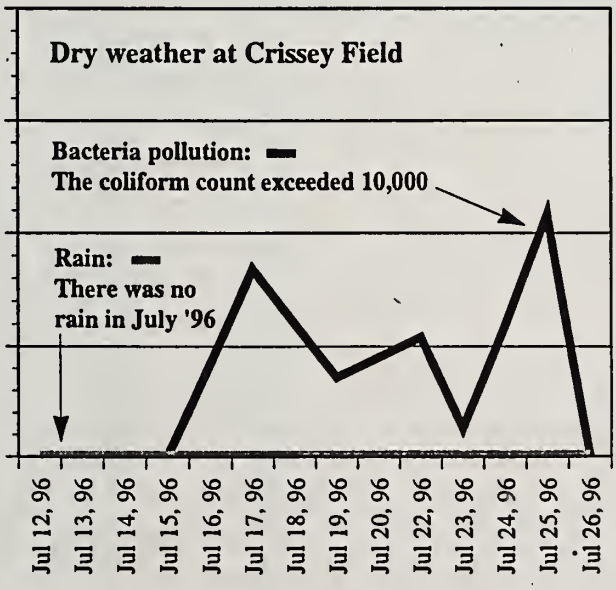
- The State issued health warnings against eating San Francisco Bay fish because of dioxin, PCBs, mercury, and pesticides in fish tested at Pier 7 and other locations.[4]
- Many fishermen and women eat more fish from the Bay than these warnings say is "safe."[5]



Pollution from San Francisco gets to the beach in wet *AND* dry weather:

***Wet and dry weather pollution in Bay water*[1,3]**





Data Sources: 1. All bacteria, posting, and rain data for these waters are from the San Francisco Public Utility Commission's May 19, 1997 letter to CBE-SAFER! 2. USEPA, 1983. Health Effects Criteria for Marine Recreational Waters (EPA-600/1-80-031). 3. The maximum single-sample coliform standard in the 1987 San Francisco Bay Water Quality Control Plan is 10,000 per 100 milliliters of water (most probable number). 4. Cal. EPA, 1994. Health Advisory on Catching and Eating Fish (for San Francisco Bay). 5. SAFER!-CBE surveys; and Save S.F. Bay Assn. Fishing for food in San Francisco Bay.

	Label	A	B
Label	San Francisco's northern shore line		
1	Signs posted for swimming pollution: Date posted	Date removed	Days posted
2	Nov 30, 93	Dec 8, 93	8
3	Dec 11, 93	Dec 20, 93	9
4	Jan 26, 94	Feb 3, 94	8
5	Oct 5, 94	Oct 7, 94	2
6	Nov 7, 94	Nov 23, 94	16
7	Mar 3, 95	Mar 8, 95	5
8	Dec 11, 95	Dec 21, 95	10
9	Jan 16, 96	Jan 23, 96	7
10	Feb 5, 96	Feb 13, 96	8
11	Apr 2, 96	Apr 4, 96	2
12	Jul 23, 96	Jul 31, 96	8
13	Oct 29, 96	Nov 1, 96	3
14	Nov 17, 96	Nov 20, 96	3
15	Dec 10, 96	Dec 12, 96	2
16	Dec 28, 96	Dec 31, 96	3
17	Jan 1, 97	Jan 13, 97	12
18	Jan 25, 97	Jan 29, 97	4
19	Total days Fort Pt., Crissey Fld., St. Francis Y.C.		
20	& Aquatic Pk. were posted since November 1993:		110

Protect your family from unsafe work on the outside of older buildings!

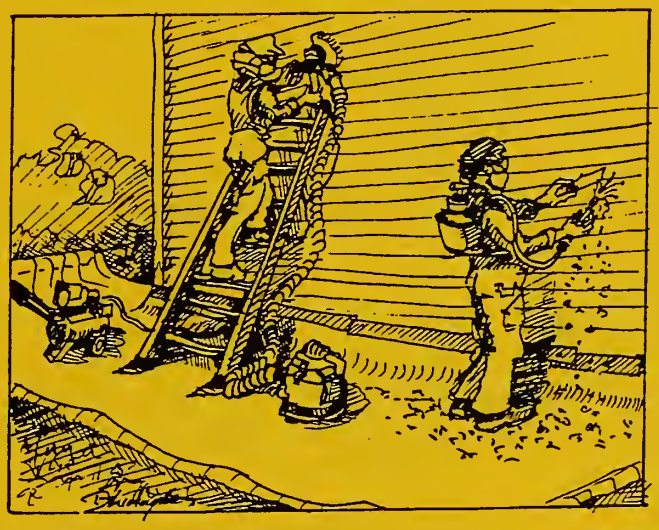
Under a new law, anyone can report unsafe exterior painting, repair and remodeling work. Unsafe work can cause lead poisoning in children and adults.

Unsafe work

- ✓ Paint chips and dust falling on uncovered ground
- ✓ Workers leaving paint chips and dust at the end of the job
- ✓ Open flame burning

Safe work

- ✓ Workers cover the ground with plastic to catch all paint chips and dust
- ✓ At the end of the job, workers clean up paint chips and dust



What can I do if I see unsafe work?

- ✓ Call the Department of Building Inspections (DBI) at (415) 558-6598. Give them the address of the work site and tell them whether the work is still in progress. DBI is required to inspect the work site within 48 hours, and order that problems be corrected within 72 hours.
- ✓ Take pictures of the unsafe work.
- ✓ Find out how to protect your family from lead poisoning. Call the Healthy Children Organizing Project at (415) 777-9648 or the City's Childhood Lead Prevention Program at (415) 554-8930.

If work is happening on your building, your landlord needs to notify you 3 business days before the work begins. If the work creates paint chips and dust, a sign must be posted to warn neighbors.

LEAD WORK IN PROGRESS

PUBLIC ACCESS TO WORK AREA PROHIBITED

POSTED IN ACCORDANCE WITH S.F. BUILDING CODE SEC. 3606 DEPARTMENT OF BUILDING INSPECTION

Watch for and report unsafe work.

Produced by the Healthy Children Organizing Project,
717 Market St. Suite 310 San Francisco CA 94103 (415) 777-9648

Proteja a su familia contra trabajos peligrosos de los exteriores de edificios viejos

Bajo una nueva ley, usted puede denunciar cualquier trabajo peligroso de pintura, reparaciones, o remodelaje de los exteriores de edificios. El trabajo peligroso puede causar envenenamiento por plomo en niños y adultos.

Trabajo peligroso

✓Fragmentos y polvo de pintura caídos al suelo descubierto.

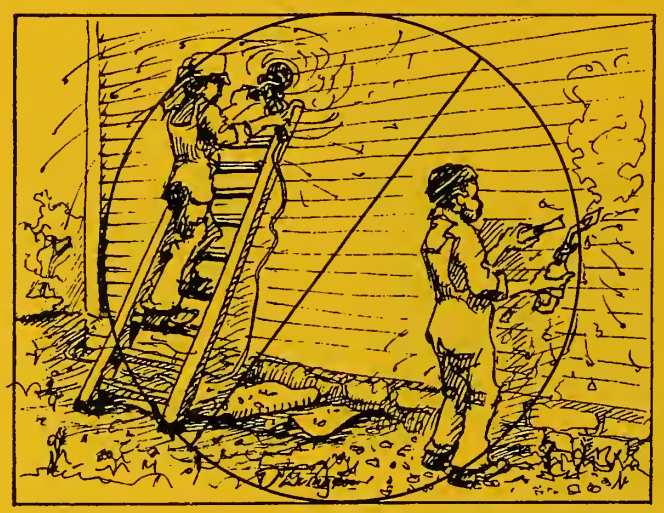
✓Trabajadores que no limpian los fragmentos y el polvo de pintura al fin de un día de trabajo.

✓Usar soplete de propano con llama abierta.

Trabajo seguro

✓Trabajadores que cubren el suelo con plástico para atrapar los fragmentos y el polvo de pintura.

✓Al fin del día de trabajo, los trabajadores recojen los fragmentos y el polvo de pintura caídos al suelo.



¿Qué puedo hacer si observo un trabajo peligroso?

✓Llame al Departamento de Inspección de Edificios (DBI) al (415) 558-6598 y proporcióneles la dirección donde el trabajo se está conduciendo. Dígales si el trabajo está en progreso. DBI tiene la obligación de inspeccionar la zona de trabajo dentro de las 48 horas de haber recibido la queja. DBI también debe ordenar que cualquier problema se corrija dentro de las 72 horas.

✓Tómele fotos a las zonas donde usted vea trabajo peligroso.

✓Sepa cómo protejer a su familia contra el envenenamiento por plomo. Llame en español al Comité de Vivienda de San Pedro al (415) 487-9203.

Si se está conduciendo trabajo en su edificio, el propietario debe notificarle 3 dias antes de que el trabajo empiece. Si el trabajo produce fragmentos o polvo de pintura, un rótulo debe estar a la vista para advertir a los vecinos.

TRABAJO DE CONSTRUCCION CON PLOMO EN PROGRESO

PROHIBIDA LA ENTRADO AL AREA DE TRABAJO

SEGUN EL CODIGO DE CONSTRUCCION DE S.F. SECCION 3606
DEPARTAMENTO DE INSPECCION DE EDIFICIOS

OJO! Y REPORTE TRABAJOS PELIGROSOS

Produced by the Healthy Children Organizing Project,
717 Market St, Suite 310 San Francisco CA 94103 (415) 777-9648

Healthy Children Organizing Project

Formerly the Lead Poisoning Prevention Project 717 Market Street, Suite 310 San Francisco CA 94103 Winter 1998

New Lead-Safe Work Practices Law in San Francisco:

HCOP Led Effort to Pass

Over the last few years our Project has helped to make it common knowledge that most of San Francisco's homes and other buildings are literally painted with lead, and that lead isn't good for anyone—especially for young children. Unfortunately, the work done on the outside of older buildings often creates lead hazards for everyone on or near the job site. That's why San Francisco just enacted legislation requiring that lead-safe work practices be used by anyone disturbing paint on the exteriors of pre-1979 buildings. This article briefly describes the legislation and the need for everyone's help to make sure the law is implemented.

Who drafted the law

The legislation was drafted by the City's Lead Hazard Reduction Citizens Advisory Committee, created by the Board of Supervisors in 1992 with the mandate to recommend legislation to make private housing lead-safe for children. The Committee brought diverse interests together to make these recommendations. Members include representatives of property owners, tenant advocates, contractors, unions, lead hazard reduction experts, affordable housing developers, child care and medical providers, the Department of Building Inspections, and the Department of Public Health. The director of the Healthy Children Organizing Project is the chair of the Committee.

Everyone on the Committee agreed from the start that the lead poisoning problem couldn't be ignored. Microscopic amounts of lead can permanently affect children's behavior, learning ability and growth. Lead poisoning cannot be cured; the damage done is irreversible. Substantial numbers of children are being poisoned by that lead every year. Prevention is the only real answer to this problem, which means reducing lead hazards in and around buildings where children live and play and learn.

What the law says

The Committee's intent was to draft a law which works for contractors and

LSWP *continued on page 2*

Our New Name

Consumer Action's Lead Poisoning Prevention Project has changed our name to the Healthy Children Organizing Project. We've always known that the children we've been helping may be threatened by or already suffering from a variety of other preventable diseases. Using our lead poisoning prevention plan as a model, we want to expand our focus to include other preventable childhood diseases. Our new name better reflects our work and mission.

We'll continue to concentrate on lead poisoning—an area in which we are helping communities educate themselves and successfully advocating for major public policy change. In addition, we've started the planning process to determine what other childhood diseases we can incorporate into our work, such as asthma, anemia, dental caries, immunizations, malnutrition and others. We want to create a community-based, integrated health education delivery system which will make the most of each outreach contact by delivering a comprehensive package of easily understandable preventive children's health information to parents and other caregivers.

Our advocacy efforts will expand as we work to convince the current public health system that it needs to invest in and work with low- and moderate-income communities of color to more effectively protect children from preventable diseases. The public health system also needs to address children's health in a more comprehensive manner in-

NAME *continued on page 5*

LSWP *continued from page 1*

protects children's health. Here's a brief description of some main provisions.

No permit to do a job is required, and no testing paint for lead hazards is required unless someone wants to prove they are exempt from the law because no lead paint will be disturbed. Standard work practices like sanding and scraping are still allowed, but only if the debris and dust created are properly contained. Open flame burning is prohibited. All visible contaminants in the work area must be removed at the end of the job, even if they were there before the job started.

Enforcement by DBI will depend mostly on complaints made. Anyone can complain. DBI can stop a job and require that it be cleaned up and completed properly.

Notices about the work must be provided to DBI, tenants, and neighbors in three languages in a variety of circumstances. Contractors and owners must tell each other what they know about lead hazards on the buildings. Small jobs don't have to provide all these notices, but must comply with the law's work practices requirements.

Enforcement by DBI will depend mostly on complaints made. Anyone can complain. DBI can stop a job and require that it be cleaned up and completed properly.

What we can do now

Since good legislation needs to be implemented to do any good, how do we make sure that children and adults are protected by this law?

First, contractors and owners need to be educated about what is safe and unsafe work. The Departments of Building Inspection and Public Health and the members of the Lead Hazard Reduction Citizens Advisory Committee are all working hard to provide this education. In addition, City College of San Francisco offers a state-accredited lead hazard reduction course. First-time violators of the law may have their fines waived if they get trained to avoid creating lead hazards in the future. The educational process is starting, but it will take some time.

Enforcement efforts will be primarily complaint-driven, and DBI has a designated phone line (558-6598) for accepting complaints. Our Project has created a fact sheet which briefly describes the new law, unsafe work practices, and the complaint process. The sheet will be translated into Chinese and Spanish and distributed by a network of community-based organizations located throughout the City.

We'll work with tenant advocates, property owner associations and other community-based organizations to help implement the legislation. We want these groups to educate owners and tenants in their neighborhoods so everyone can recognize unsafe practices, prevent their use, and know what to do if they see them.

We'll work with tenant advocates, property owner associations and other community-based organizations to help implement the legislation. We want these groups to educate owners and tenants in their neighborhoods so everyone can recognize unsafe practices, prevent their use, and know what to do if they see them.

With the help of active, informed community members, the new Lead-Safe Work Practices legislation can make a real difference in preventing childhood lead poisoning in our City. ❖

Help Us Get Government Going:

Mobilizing City Resources for Lead Poisoning Prevention

Government action and inaction have a profound impact on our efforts to help our communities have healthy children and decent housing. For that reason, our Project works to mobilize all of San Francisco's government-controlled resources to help us prevent lead poisoning. In 1992, we led the effort to enact the Comprehensive Environmental Lead Poisoning Prevention Ordinance (Ordinance). The legislation provides a blueprint for what City agencies must do to help in this effort by requiring them to make their facilities lead-safe and to use their contacts with families to educate parents about protecting children from lead poisoning.

The [1992] legislation provides a blueprint for what City agencies must do to help in this effort by requiring them to make their facilities lead-safe and to use their contacts with families to educate parents about protecting children from lead poisoning.

Take the example of Maria Sanchez, a 4 year old who lives in public housing, attends the school district's child development program, goes to the library with her mother after school, and plays at the local park and recreation facility. Her mother receives TANF, and takes the family to the local Health Department Clinic for medical care. All these government agencies have multiple contacts with Maria and her family. Under the Ordinance, they must make their facilities lead-safe for Maria and educate her parents about how to protect her from lead hazards.

It's good legislation, but good legislation must be implemented to do any good. That's why the Ordinance also requires the Department of Public Health (DPH) to publish an annual report on the status of City agencies' implementation efforts. DPH's 1997 report describes the current efforts of various departments and makes recommendations about how these agencies can improve their work. Our challenge is to make sure the report doesn't gather dust and serves its purpose as a catalyst for fully effecting the Ordinance.

In response to the DPH's annual report, we asked and the Board of Supervisors agreed to pass a series of resolutions urging all the agencies named in it to implement the recommendations. On February 26 it will hold a hearing regarding the implementation of those recommendations. The Board has asked each agency to prepare a written report describing what will be done in response to the DPH recommendations, when it will be done, and who is responsible for implementing these recommendations.

These city agencies serve our communities and impact parents and children we are all trying to help. We need these agencies to perform the tasks set out for them five years ago and do their part in the City-wide effort to prevent childhood lead poisoning.

These city agencies serve our communities and impact parents and children we are all trying to help.

Agencies' responsibilities under the Ordinance

The following is a brief summary of each agency's responsibilities under the Ordinance:

The **Recreation and Parks Department**, which operates over 200 sites, must reduce lead hazards in its facilities, train its maintenance, repair, and custodial staff in lead hazard reduction, and distribute information about lead poisoning prevention to the adults and children using its facilities.

GOVT *continued page 4*

GOVT *continued from page 3*

The **School District** is outside official City government control, but the Board passed a resolution urging the District to make its 43 preschool child development and pre-kindergarten facilities lead-safe. It also urged implementation of a maintenance and testing program to ensure the facilities remain lead-safe. In addition, the District should train teachers to educate parents and children to avoid lead hazards and distribute information about the benefits of the Child Health Disability Prevention Program (CHDP) and lead poisoning testing to parents of Child Development/Pre-K students.

The **Housing Authority**, which operates approximately 5,000 family units, most built before 1950, is urged to reduce lead hazards in its family facilities; train its staff on how to avoid and reduce lead hazards; educate residents about protecting children from lead poisoning and testing children for lead; and, provide access to health care providers to help protect children from lead poisoning.

The **Public Health Department's** responsibilities include educating doctors and parents and children receiving DPH services; developing a temporary lead-safe housing program; preparing a report on the results of blood lead tests in the City; and, identifying abandoned commercial and industrial sites used by children containing lead hazards.

The **Department of Human Services** must reduce lead hazards in its facilities used by young children and train its staff to educate all parents and children receiving its services about lead poisoning hazards and prevention.

The **Department of Building Inspection** must use the housing and building code to prevent and remediate lead hazards and provide written information in appropriate languages to all building and demolition applicants about lead hazards. (DBI is also responsible for implementing the new lead-safe work practices legislation enacted by San Francisco.)

The **Library** must carry lead poisoning prevention information for its patrons and provide lead-safe facilities in its 27 neighborhood branches, most of which were built before 1950.

"In general, the job is not yet done. There are findings of agencies with clear workplans, who have accomplished many of their mandated tasks. There are other findings that show agencies in crisis, unable to effectively construct or complete measurable workplans."

--from the 1997 DPH report on City agencies' efforts to implement the Ordinance

The **Public Utilities Commission** and **Water Department** must provide free testing of one water tap per resident for homes with children under the age of 6 who are eligible for CHDP care and/or a pregnant woman. The departments also need to provide information on lead in water issues to their users.

The **Mayor's Office of Children, Youth, and their Families** must provide lead prevention information to subcontracted agencies and help them to educate their clients about lead poisoning prevention and testing children for lead. In addition, MOCYF should integrate environmental, community, and preventive health issues in all planning and vision documents.

The **Department of Public Works** should ensure that contractors doing construction, maintenance, and repair on city buildings don't create lead hazards in performing their work.

The **Mayor's Office of Housing** must cooperate with DPH to educate MOH staff and build the capacity of MOH to combine its affordable housing rehabilitation program with reducing lead hazards. MOH also should publish information about lead prevention work it's done and cooperate with DPH to help families whose children have elevated blood lead levels.

The **Redevelopment Agency** should redevelop properties in a lead-safe manner and help DPH assess abandoned sites for lead hazards.

Legislation Is a Tool, Not the Answer

Good legislation is one of many tools we can use to solve a problem, but it is not the sole answer to a large-scale, long-term problem like childhood lead poisoning. In fact, when legislation is enacted, new difficulties may emerge. Local agencies may get involved with an issue but fail to work with the communities which asked for the legislation. Agencies also may divert resources which might otherwise be used to support more effective community efforts.

In addition, newly-enacted legislation sometimes convinces the community that its job is done and government will take care of the problem. Nothing could be further from the

GOVT *continued page 5*

GOVT *continued from page 4*
truth. ***Enactment of the lead poisoning prevention legislation does not mean someone else will take care of the problem for us.*** The DPH report points out that some City agencies are having trouble fulfilling their mandates:

"In general, the job is not yet done. There are findings of agencies with clear workplans, who have accomplished many of their mandated tasks. There are other findings that show agencies in crisis, unable to effectively construct or complete measurable workplans."

For this legislation to succeed, all of the communities impacted must participate as partners in its implementation.

How you can help

We need community support at the hearing on February 26—testimony, letters of support, petitions. After the hearing we'll need to follow up to evaluate agency workplans, monitor implementation, and take action, if needed.

For this legislation to succeed, all of the communities impacted must participate as partners in its implementation. And we must continue to implement comprehensive, long-term *community-based* efforts to build our disadvantaged communities' capacities to have healthy children and decent housing free from the dangers of lead. ❖

NAME *continued from page 1*
stead of sponsoring a variety of public health programs which don't coordinate well with each other and too often fail to make the most effective use of their valuable resources and educational opportunities.

We also want City agencies to help improve the condition of housing for young children. Substandard housing can make children sick. The public health department needs to advocate strongly for decent, lead-safe, healthy housing for children—*housing is a health problem.* Similarly, the housing department needs to use its code enforcement powers to make homes healthy places for children to grow up in—*health is a housing problem.*

Our Project will continue its efforts to involve and gain the help and support of our community in this effort, including child care advocates and providers, tenant advocates, parents, affordable housing developers, contractors, multi-property owners, building developers, labor unions and others. We can't make real change without their full participation in the process.

We also want to focus the entire community's attention on the need to allocate a substantial amount of resources to the prevention of illness and disease in children in order to avoid spending that money to treat children who should have never been sick in the first place. The impact of preventable childhood diseases is often permanent, and the social and economic losses to families and to our educational, medical, criminal justice and economic systems are enormous.

Our experiences have taught us that systemic changes must occur if we are ever going to have cities full of healthy children who are able to succeed to the full extent of their abilities. While we are spearheading a very successful lead poisoning prevention effort, which is becoming a model for urban communities throughout the country, that's not enough. We know we must challenge the health system and our government to make major changes in the ways in which they do business.

Sick children suffering from preventable diseases seriously undermine the ability of our communities to function and thrive. Our Project goal is to help make San Francisco a City full of healthy children living in decent housing in sustainable communities.

Other Project changes include a move to our new office at 717 Market Street, Suite 310, San Francisco, CA, 94103. We've also hired a new Project Assistant: Malinda McCollum. ❖

San Francisco Healthy Children Community Collaboration Update

The San Francisco Healthy Children Community Collaboration (formerly the S.F. Lead Prevention Community Collaboration) is a group of 14 community-based organizations which the Project brought together to help build our communities' capacities to protect young children from preventable diseases. Our members represent low and moderate income communities throughout the City. While we provide a variety of family and children's services, we have a common goal — we want healthy children growing up in decent, healthy housing in our communities.

> We recognize that our communities' ability to function suffers when our children are sick.

We recently changed our name because we know that young children's health is threatened by a number of preventable diseases, not just lead poisoning. We recognize that our communities' ability to function suffers when our children are sick. To protect our children and communities' health, there must be widespread systemic changes in the way that parents learn how to protect children from preventable diseases. With our collective knowledge, experience, and commitment, our Collaboration can play a major role in helping to make these changes happen.

We've provided a detailed description of the Collaboration's mission and its members in a previous newsletter. Since then California Association for Health, Education, Employment, and Dignity, Inc. (CAHEED) has joined the Collaboration. CAHEED was founded in 1971. The organization runs a variety of programs in the Bayview/Hunter's Point community, ranging from a food supplement program to infant day care and respite care, teen pregnancy prevention, and black infant health improvement. CAHEED has also worked to educate parents and childcare providers about the hazards of lead. Further, the Mayor's Office of Children, Youth, and their Families funded CAHEED as the lead fiscal agent for a comprehensive collaboration of twelve agencies, known as the Southeast Family Support Network. CAHEED has a long history of service and activism in the Bayview/Hunter's Point community, and we welcome them to the Collaboration. ❖

Healthy Children Organizing Project Staff:
Neil Gendel, Project Director
Caroline Mitchell, Associate Director
Malinda McCollum, Project Assistant

This newsletter is supported by the Richard and Rhoda Goldman Fund, the James Irvine Foundation, the Witkin Foundation, and the Home Depot.

Healthy Children Organizing Project
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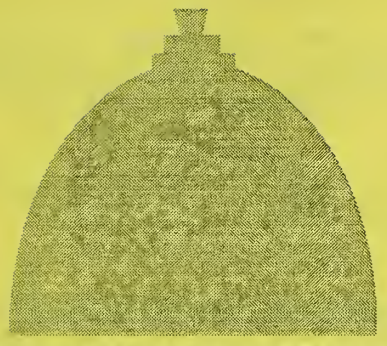

Is San Francisco's government protecting our children from lead poisoning?

In 1992, we led the effort to enact legislation that provides a blueprint for what City agencies must do to help prevent lead poisoning. The legislation requires the Department of Public Health (DPH) to publish an annual report on the status of City agencies' implementation efforts. DPH's 1997 report describes the efforts of various departments to comply with the legislation and makes recommendations about how agencies can improve. We need to make sure the report doesn't just gather dust!

Last fall, the Board of Supervisors passed resolutions asking agencies to implement DPH's recommendations. On February 26, its Health, Family and Environment Committee will hold a hearing regarding the implementation of those recommendations.

If you are concerned about agencies like the:

- Housing Authority
- School District
- Recreation and Parks Department
- Department of Human Services

→ **Come to the hearing** on February 26th at 10am at 401 Van Ness, Room 410 and testify in support of DPH's recommendations. Ask Neil or Caroline for a summary of the recommendations.

→ **Write a letter of support** and send it to the Supervisors. See the back of this flyer for a sample letter.

Government agencies and our children:

Maria Sanchez is 4 years old. She lives in public housing, attends the school district's child development program, goes to the library with her mother after school, and plays at the local park and recreation facility. Her mother receives TANF, and takes the family to the local Health Department Clinic for medical care. We want these and other government agencies to make their facilities lead-safe for Maria and other children, and to help families learn how to protect children from lead poisoning.

Produced by the Healthy Children Organizing Project, 717 Market Street, Suite 310, San Francisco, CA 94103 (415) 777-9648

SAMPLE SUPPORT LETTER

Supervisor Sue Bierman
Board of Supervisors
401 Van Ness Avenue, 3rd Floor
San Francisco, CA 94102

Dear Supervisor Bierman,

Because we want to protect our children from lead poisoning, we support your holding a hearing on the Department of Public Health's annual report to the Board which contains recommendations to City agencies on how to improve their implementation of the 1992 Comprehensive Lead Poisoning Prevention legislation.

We also support the resolutions you passed in 1997 asking all City agencies providing family and children's services to implement these recommendations. But we're concerned about the progress of some departments to act on your resolutions. We're particularly concerned about: [*Choose the department(s) that most concern you*]

- *Recreation and Parks Dept.* must reduce lead hazards in its facilities, train its maintenance, repair, and custodial staff on lead hazard reduction, and distribute information about lead poisoning prevention to the adults and children using its facilities.
- *School District* must make its preschool child development and pre-kindergarten facilities lead-safe and implement a maintenance/testing program to ensure the facilities remain lead-safe. The District should train teachers to educate parents and children to avoid lead hazards and distribute information about the benefits of CHDP and lead poisoning testing to parents of Child Development/Pre-K students.
- *Housing Authority* must reduce lead hazards in its family facilities; train its staff on how to avoid and reduce lead hazards; educate residents about protecting and testing children for lead; and provide access to health care providers to help protect children from lead poisoning.
- *Dept. of Human Services* must reduce lead hazards in its facilities used by young children and train its staff to educate all parents and children receiving its services.
- *DPH* must provide education to parents and children receiving its services and to doctors; develop a temporary lead-safe housing program; prepare a report on the results of blood lead tests in the City; and identify hazardous non-housing sites.
- *Dept. of Building Inspection* must enforce the building code and provide written information in appropriate languages to all building and demolition applicants about lead hazards.
- *Mayor's Office of Children, Youth, and their Families* must provide lead prevention information to subcontracted agencies and urge them to educate their clients about lead poisoning prevention and testing children for lead. MOCYF should integrate environmental, community, and preventive health issues in all planning and vision documents.
- *Library* must carry lead poisoning prevention information for its patrons and provide lead-safe facilities.

We are concerned because the community we serve is also served by the [*above department(s)*] and others. Our organization . . . [*give a brief description of your organization.*]

We urge you to do whatever you can to make City departments implement the DPH's recommendations so we can have healthy, lead-safe children in San Francisco.

Sincerely,

Support Legislation Needed to Protect Children from Lead Poisoning Caused by Unsafe Work Practices on Building Exteriors

November 13 at 10:00 a.m.*

Board of Supervisors Subcommittee Hearing
401 Van Ness Ave, 4th Floor (Room 410)

Lead Paint Is the Problem. Our homes, commercial/industrial and public facilities are painted with lead, and that paint is the major cause of childhood lead poisoning in San Francisco. The Department of Public Health receives complaints almost everyday about contractors dry sanding and scraping, sand blasting and engaging other work practices on the exteriors of buildings which spread paint inside and outside homes and other buildings where small children live and spend substantial periods of time. Many contractors and their workers still don't understand why these unsafe practices make children sick.

Current law doesn't help. There are no laws or regulations which directly protect tenants, neighbors and their children from these unsafe work practices on the exteriors of buildings which create lead hazards. The Department of Public Health and the Department of Building Inspections don't have the direct statutory authority needed to prevent the use of these practices.

This is consensus legislation. The Lead Hazard Reduction Citizens Advisory Committee (Committee), appointed by the Board of Supervisors in 1992, drafted this legislation in response to the Department of Public Health's concerns. The committee members include representatives of painting contractors, the building trades, lead hazard reduction specialists, affordable housing and child care providers, landlords, tenants, and several City departments involved in this issue.

What you can do. Come to the hearing on November 13, at or after 10:00 a.m., and tell the Supervisors your personal experiences with this problem and why you think the legislation should be passed to protect the health of young children in your community.

Send a letter of support to the author of the legislation, Sue Bierman, and a copy to our Project.
*** Call us at 777-9648 for additional information, to tell us that you will testify, and to confirm the hearing date.**

Protect Small Children Who Can't Protect Themselves!

The Healthy Children Organizing Project (formerly the Lead Poisoning Prevention Project)
On October 6: 717 Market Street, Suite 310 San Francisco, CA 94103 (415) 777-9648: fax (415) 777-5267

Ordinance Summary: Work Practices For Exterior Lead-Based Paint (Chapter 36, San Francisco Building Code)

Types of Work Included	Any work that may loosen, penetrate, cut through, or remove lead paint on the exterior of any building that was built before December 31, 1978. (For example, demolition and surface preparation activities.)
City Agency In Charge	San Francisco Department of Building Inspection 1660 Mission Street, San Francisco, CA 94103

Notifications Required

	To	By	When
	Contract and Subcontract Bidders	Property Owner or Contractor	When submitting bid
Before Work Begins	Department of Building Inspections	Property Owner or Contractor	Before the work begins
	Adjacent Properties	Property Owner or Contractor	Before the work begins
	Tenants	Property Owner	3 business days before work begins
	Property Owner	Contractor (when contractor is responsible party)	72 hours prior to commencement of work
If sampling results show lead contamination→	Posting at site	Owner	within five days of receipt of test results, until job done

When work is needed to correct an immediate danger, work may begin in less than three days once notifications have been made.

Work Standards Required

Any person performing lead-related work shall:

1. Have containment barriers at least as effective as those described in the *Guidelines for Evaluation and Control of Lead-Based Paint Hazards* (United States Department of Housing and Urban Development (HUD)).
2. Prohibit the paint contaminants from going beyond the containment barriers.
3. Remove all visible lead paint contaminants prior to the completion of work.

Prohibited Work Methods

1. Open flame burning or torching, including propane-fueled heat grids
2. Scraping, sanding, or grinding without proper containment or a HEPA local vacuum exhaust tool
3. Uncontained hydroblasting or high-pressure wash
4. Abrasive blasting or sandblasting without proper containment or a HEPA local vacuum exhaust tool
5. Heat guns operating above 1,100F

Penalties

Penalties for violations may include one or more of the following:

- Corrections of violations within 72 hours or less
- Inspection by a certified risk assessor before work resumes
- Administrative civil penalties of up to $1,000 per day
- Fees to cover the cost of the City Agency's enforcement activities
- Attendance at training approved by the State Department of Health Services in lead-related construction (in lieu of monetary penalty for first violation).

November 13, 1997.

FILE NO. 114-97-2 ORDINANCE NO. 446-97

AMENDMENT OF THE WHOLE

[Lead Paint-Exterior Work Practices]

AMENDING PART II, CHAPTER I OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY ADDING A NEW CHAPTER 36 ESTABLISHING REQUIREMENTS GOVERNING ACTIVITIES THAT DISTURB OR REMOVE PAINTED SURFACES CONTAINING LEAD-BASED PAINT ON THE EXTERIOR OF ANY RESIDENTIAL, COMMERCIAL, OR PUBLIC BUILDING, OR STEEL STRUCTURE.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Building Code is hereby amended by adding Chapter 36, to read as follows:

CHAPTER 36

WORK PRACTICES FOR EXTERIOR LEAD-BASED PAINT

SECTION 3601. FINDINGS.

The Board of Supervisors finds that:

3601.1 Lead poisoning is preventable. Childhood lead poisoning is caused by children ingesting lead from their environment. From 1991 through 1996, 459 children under the age of six received services from the Department of Public Health (DPH) in response to diagnosed lead poisoning. With the elimination of leaded gasoline, the major source of lead in the environment in San Francisco comes from deteriorated (i.e., peeling, chipping) and disturbed (i.e., by dry scraping, sanding, pressure blasting or burning) lead-based paint on residential, commercial and public

pre-1950 (224,797 units) and ninety-four percent is pre-1980 (307,9 units). With this predominantly older housing stock, it can be assumed that the majority of building exteriors have layers of lead based paint, either as surface layers or underneath non-lead paints DPH case investigations have measured exterior paints with lead content as high as 49% lead. Half of the worst-case exterior paint samples measured by DPH were greater than 81,400 parts per million (or 8%) lead, sixteen times the definition of lead-based paint. Th uncontrolled disturbance and removal of exterior lead-based paint one of the major contributors of lead to the San Francisco environment. Furthermore, the close proximity of buildings to one another in San Francisco, along with the small lot size typical of many residential buildings, increases the risk of contamination of adjacent properties by lead paint debris.

3601.2 In the past, steel structures such as bridges, walkways, water towers, billboards steel tanks and railway or roadw overpasses were painted with anti-corrosion paints containing a hig lead content. Disturbance or removal of such paints without proper controls can create a significant lead dust hazard to surrounding residential areas.

3601.3 Currently, the exterior surfaces of buildings are frequently prepared for new painting by dry scraping, sanding, pressure blasting, or burning off the old paint. These surface preparation methods generate waste products that include large quantities of paint debris, paint dust, and pressure blasting agent

Depending on the concentration of lead in the paint, these waste streams may constitute hazardous waste under state hazardous waste laws. Currently, most waste products generated by exterior surface preparation in San Francisco are not contained and are instead discharged directly into the air, soil, and sewer system.

3601.4 City Departments receive at least one call per day from residents identifying an uncontrolled exterior paint disturbance and/or removal in a residential neighborhood. During such a project, numerous small pieces of paint debris and sometimes the blasting agents are deposited throughout the neighborhood–inside homes, on parked cars, on sidewalks, and in back yards. San Francisco children and pets have been poisoned with lead as a result of uncontrolled exterior paint disturbance and removal. Painters and other workers working without personal protective equipment may also suffer health effects. These persons can in turn transfer lead dust from their work clothes to their children and their home environment.

3601.5 Uncontrolled exterior paint disturbance and removal, including surface preparation, deposits lead and other metals on the ground, and often in stormwater and sewer drains. For example, when water blasting is used as a surface preparation or paint removal method, the resulting wastewater may contain lead levels exceeding established pollution limits. Once environmental contamination has occurred, the efforts and costs for cleaning up such wide-spread damage are prohibitive. Preventing the spread of paint debris and

blasting agents is the best way to eliminate this major source of lead contamination.

3601.6 Open-flame burning or torching of lead paint produces a lead fume in the form of a fine particulate emission from the surface of the heated metal. Once the particulate cools, it settles as a non-visible solid lead contaminant in the environment. Because burning processes are extreme fire hazards and because lead fume contamination cannot be visually assessed, it is difficult to design and verify appropriate containment and cleanup. For these reasons, this ordinance prohibits acetylene and propane open-flame burning and torching.

3601.7 Currently, exterior paint disturbance and removal is subject to only minimal regulation. Employers of workers performing paint work, regardless of the lead content level of the paint, must adhere to the Occupational Safety and Health standards promulgated by Cal/OSHA. Waste streams to soil and water are regulated after the lead has been released into these environments. The Bay Area Air Quality Management District (BAAQMD) governs the use of approved blasting agents and the production of gross amounts of visible emissions, in addition to industrial lead emissions. Many projects that disturb or remove paint, including most residential projects, do not generate emissions that exceed the BAAQMD visible emissions and lead toxic air contaminant standards; nevertheless, these operations can contaminate the worksite and the surrounding properties with toxic paint debris. The Board intends to address the hazards caused

by uncontrolled exterior lead-based paint disturbance and removal, including surface preparation, by establishing requirements governing these activities.

SECTION 3602. GOALS.

3602.1 The goals of this law are to:

3602.1.1 Ensure that persons performing exterior lead-based paint disturbance or removal, including surface preparation, on residential, commercial, and public buildings and steel structures use work practices that reduce environmental contamination; and

3602.1.2 Reduce childhood lead poisoning and other dust-related health effects in San Francisco caused by uncontrolled exterior lead-based paint disturbance and removal, including surface preparation.

SECTION 3603. DEFINITIONS.

3603.1 "Accredited Laboratory" means a laboratory which operates within the EPA National Lead Laboratory Accreditation Program.

3603.2 "Adjacent Properties" means properties that adjoin the regulated area of the property in question, including at the corners of lot lines.

3603.3 "Certified" means a process used by the State of California Department of Health Services (DHS) and the US Environmental Protection Agency (EPA) to identify individuals who have completed training and other requirements to permit the safe execution of lead risk assessments and inspections, or lead hazard reduction and control work. "Certified" includes current "Interim

Certification" by DHS, unless and until this status is modified by state legislation.

3603.4 "Containment Barriers" means measures that prevent the migration of lead paint contaminants. Containment barriers shall be at least as effective at protecting human health and the environment as those contained in the most current HUD Guidelines.

3603.5 "Contractor" means any person, whether or not in possession of a valid state contractor's license, who undertakes to or offers to undertake to or purports to have the capacity to undertake to or submits a bid to, or does by himself or herself or by or through others, any action that may or will disturb or remove paint. For purpose of this Chapter, "Contractor" shall also include subcontractors.

3603.6 "Disturb or Remove Paint" means any action that creates friction, pressure, heat or a chemical reaction upon any lead-based paint on an exterior surface so as to abrade, loosen, penetrate, cut through or eliminate paint from that surface. This term shall include all demolition and surface preparation activities that are performed upon an exterior surface containing lead-based paint.

3603.7 "Exterior" means the outside of a building or steel structure and the areas around it within the boundaries of the property, including the outside of any detached structures, including but not limited to, outside and common walls, stairways, fences, light wells, breezeways, sheds and garages.

3603.8 "HEPA" means a High Efficiency Particulate Air Filter.

3603.9 "HUD Guidelines" means the most recent "*Guidelines for Evaluation and Control of Lead-Based Paint Hazards*" promulgated by the United States Department of Housing and Urban Development (HUD).

3603.10 "Landlord" means an owner, lessor, or sublessor who receives or is entitled to receive rent for the use or occupancy of any commercial or residential rental property in the City and County of San Francisco, and the agent, representative or successor of any of the foregoing.

3603.11 "Lead" means metallic lead and all inorganic and organic compounds of lead.

3603.12 "Lead-Based Paint" or "Lead Paint" means any paint, varnish, shellac or other coating on surfaces with lead in excess of 1.0 mg/cm^2 (milligrams per square centimeter) as measured by x-ray fluorescence (XRF) detector or laboratory analysis or in excess of 0.5 percent by weight, also expressed as 5,000 ppm (parts per million), 5,000 µg/g (micrograms per gram), or 5,000 mg/kg (milligrams per kilogram) as measured by laboratory analysis.

3603.13 "Lead-Based Paint Testing" means testing of surfaces to determine the presence of lead-based paint performed by an independent Certified Risk Assessor/Inspector, in accordance with the HUD Guidelines, and where testing includes bulk paint samples, such samples are analyzed by an Accredited Laboratory.

3603.14 "Lead-Contaminated Dust" means surface dust that contains an area or mass concentration of Lead in excess of 100

µg/ft^2 (micrograms per square foot) on uncarpeted floors, 500 µg/ft^2 on interior window sills, and 800 µg/ft^2 on exterior window sills and exterior horizontal surfaces.

3603.15 "Lead Dust Testing" means tests conducted in accordance with the most recent federal guidelines to determine the presence or absence of Lead-Contaminated Dust within a defined area.

3603.16 "Lead-Contaminated Soil" means areas that contain total Lead in excess of 400 ppm (parts per million) in bare soil.

3603.17 "Lead Soil Testing" means tests conducted in accordance with the most recent federal guidelines to determine the presence or absence of Lead-Contaminated Soil within a defined area.

3603.18 "Lead Paint Contaminants" means substances containing lead paint which are potentially hazardous to human health or the environment, including but not limited to paint chips and paint-containing soil, debris, dust, abrasives, fumes and water.

3603.19 "Person" means a natural person, his or her heirs, executors, administrators or assigns, and also includes a municipal or state agency, a firm, joint stock company, business concern, association, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

3603.20 "Prohibited Practices" means work practices prohibited under section 3605 of this Chapter.

3603.21 "Responsible Party" means either (1) the owner of the property where the owner or the owner's employees or persons otherwise under the control of the owner are performing the

activities regulated under this Chapter; or (2) the contractor where the contractor is performing the activities regulated under this Chapter.

3603.22 "Regulated Area" means an area in which work is being performed that disturbs or removes paint, and to which access is restricted in order to prevent migration of paint contaminants. "Regulated area" shall also include any area contaminated with lead paint contaminants as a result of a breach or lack of containment barriers or a violation of the containment requirement set forth in section 3605.1.

3603.23 "Steel Structure" means any structure that is not a building and which has exterior surfaces made of steel or other metal, such as bridges, billboards, walkways, water towers, steel tanks and roadway or railway overpasses.

SECTION 3604. PROHIBITION.

SECTION 3604.1. Generally. No person shall disturb or remove lead paint, or in any other way generate lead paint contaminants during demolition or work on the exterior of any existing residential, commercial or public building, or steel structure except in accordance with the requirements of this Chapter.

SECTION 3604.2. Exemptions. This Chapter shall not apply to activities that disturb or remove paint where those activities are being performed on buildings or steel structures on which construction was completed after 1978, or on new construction. For purposes of this Chapter, all paint on the exterior of any building

or steel structure on which the original construction was completed prior to December 31, 1978, shall be presumed to be lead-based paint. Any person seeking to rebut this presumption shall establish through lead-based paint testing, or other means satisfactory to the Director, that the paint on the building or steel structure in question is not lead-based paint.

SECTION 3604.3. De Minimis Notification Exemption. Any person performing work subject to this Chapter who disturbs or removes less than ten (10) square feet of lead-based paint in total shall not be required to comply with the notification requirements set forth in Section 3606 of this Chapter.

SECTION 3605. PERFORMANCE STANDARDS.

SECTION 3605.1. Containment Barriers. Any person performing work subject to this Chapter shall establish containment barriers at least as effective at protecting human health and the environment as those contained in the HUD Guidelines.

SECTION 3605.2. Prohibited Practices. No person performing work subject to this Chapter shall use prohibited practices, including but not limited to:

3605.2.1 Acetylene or propane burning and torching;

3605.2.2 Scraping, sanding or grinding without containment barriers or a HEPA local vacuum exhaust tool;

3605.2.3 Hydroblasting or high-pressure wash without containment barriers;

3605.2.4 Abrasive blasting or sandblasting without containment barriers or a HEPA local vacuum exhaust tool;

3605.2.5 Heat guns operating above 1,100 degrees Fahrenheit;

SECTION 3605.3. Migration. Any person performing work subject to this Chapter shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work.

SECTION 3605.4. Visible Lead Paint Contaminants. The responsible party performing work subject to this Chapter shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

SECTION 3606. NOTIFICATION REQUIREMENTS.

SECTION 3606.1. Notifying Bidders. In any instance where a property owner or contractor is requesting bids for work that is subject to this Chapter, the property owner or contractor shall notify all bidders of any paint inspection reports verifying the presence or absence of any lead-based paint in the regulated area of the proposed project.

SECTION 3606.2. Contents of Notice. Except as otherwise authorized by this Chapter, prior to the commencement of work subject to this Chapter, the responsible party shall provide written notice to the Director, either in person, by U.S. Mail or by fax, of the following:

3606.2.1. the location of the project;

3606.2.2. the nature and approximate square footage of the painted surface being disturbed and/or removed;

3606.2.3. the methods and tools for paint disturbance and/or removal;

3606.2.4. the approximate age of the building;

3606.2.5. the anticipated job start and completion dates for work subject to this Chapter;

3606.2.6. whether the responsible party has reason to know or presume that lead-based paint is present;

3606.2.7. whether the building is residential or non-residential, whether it is owner-occupied or rental property, and the approximate number of dwelling units, if any, on the property;

3606.2.8. the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements as described in sections 3606.4 and 3606.5 below; and

3606.2.9. the name, address, telephone number, and if available, pager number, of the party who will perform the specified work.

SECTION 3606.3. Contents of Notice. The Director shall make available to the public a form that complies with the requirements of section 3606.2 and contains blank spaces for the required information.

SECTION 3606.4. Sign When Containment is Required. Where containment is required to prevent migration of lead paint contaminants to another property, not later than the commencement of

work subject to this Chapter, the responsible party shall post signs in a location or locations clearly visible to the adjacent properties stating the following:

LEAD WORK IN PROGRESS

PUBLIC ACCESS TO WORK AREA PROHIBITED

POSTED IN ACCORDANCE WITH BUILDING CODE SECTION 3606

SECTION 3606.5. Requirements for Sign When Containment is Required. The sign required by section 3606.4 shall be not less than 24 inches square, and shall be in large boldface capital letters no less than one-half inch in size. The Director shall make available to the public a form that complies with these requirements and states the required information in English, Chinese and Spanish. Where it is not possible to post signs in a conspicuous location or locations clearly visible to the adjacent properties, the responsible party shall provide the notice in written form, such as a letter or memorandum, to the adjacent properties.

SECTION 3606.6. Notice by Landlord. Where the responsible party is a landlord, a person or persons in the employ of a landlord, or where a landlord has entered into a contract with a contractor to perform work subject to this Chapter on a residential property occupied by tenants, not less than three business days before work subject to this Chapter is to commence, the landlord shall:

3606.6.1. Required Notice To Tenants. Except as may be otherwise inconsistent with state law, provide written notice to tenants of the building on which the work is being performed that

lead-related work is being performed. This notice shall be in the form of a sign, letter, or memorandum; and shall prominently state the following:

> "Work is scheduled to be performed beginning [date] on this property that may disturb or remove lead-based paint. The persons performing this work are required to follow state and local laws regulating work with lead-based paint. You may obtain information regarding these laws, or report any suspected violations of these laws, by calling the Department of Building Inspection at 558-6598. The owner of this property is also required to provide tenants with the U.S. Environmental Protection Agency pamphlet entitled *Protect Your Family From Lead-Based Paint in Your Home.*"

The Director shall make available to the public a form that states the required information in English, Chinese and Spanish.

3606.6.2. Availability of Pamphlet. Make known, and available upon request to all tenants in the building, the U.S. Environmental Protection Agency pamphlet entitled *Protect Your Family From Lead in Your Home*, except that a landlord shall not be required to comply with this requirement with respect to tenants to whom the landlord has previously provided a copy of the pamphlet.

SECTION 3606.7. Notice by Contractor. Where the responsible party is a contractor, the responsible party shall, at least 72 hours prior to the commencement of work on residential property subject to this Chapter, notify the property owner of potential lead hazards

during the project by distributing the U.S. Environmental Protection Agency pamphlet entitled *Protect Your Family From Lead in Your Home.*

SECTION 3606.8. Early Commencement of Work by Owner. A property owner may commence, or may authorize a contractor to commence, work subject to this Chapter less than three business days after providing notices required in sections 3606.2, 3606.4 3606.6 and 3606.7 above when the property owner determines that such work must be commenced immediately in order to correct an emergency condition such that a delay would pose an immediate threat to the safety or well-being of the building's occupants, or to correct life-safety hazards.

SECTION 3606.9. Early Commencement of Work Requested by Tenant. Upon written request of tenants, the landlord may commence or authorize a contractor to commence, work subject to this Chapter less than three business days after providing notices required in sections 3606.2, 3606.4, 3606.6 and 3606.7 above.

SECTION 3606.10. Notice of Lead Contaminated Dust or Soil. Except as may be otherwise inconsistent with state law, any property owner that has performed lead dust testing or lead soil testing in a regulated area shall provide written notice to tenants of the property of the presence of any lead-contaminated dust or lead-contaminated soil verified by the test results within five business days of receipt of written results. This notice shall be in the form of a sign or signs clearly visible from locations outside the regulated areas and shall prominently state the following:

WARNING: Results of tests for lead contamination received by the owner of this property on [date] indicate the presence of lead-contaminated [dust or soil] in [state area]. For more information, contact [property owner or representative at xxx-xxxx]. Removal of this sign does not necessarily mean that the lead contamination has been eliminated.

The Director shall make available to the public a form that complies with the above requirements and restates the generic information required by the notice in Chinese and Spanish.

SECTION 3606.11. Removal of Notice of Lead Contaminated Dust or Soil. The owner may remove such signs when: (1) all visible lead paint contamination have been removed from the regulated area in accordance with section 3605.4, prior to the completion of the work; or (2) upon receipt of results of additional lead dust or lead soil testing indicating that no lead-contaminated dust or lead-contaminated soil remains in the regulated area.

SECTION 3607. INSPECTION AND SAMPLING.

SECTION 3607.1. Authority Inspect. The Director is authorized to inspect any building upon which work subject to the requirements of this Chapter is being performed for the purpose of determining whether the work is being carried out in accordance with the requirements of this Chapter. This inspection authority shall be exercised only at reasonable hours, and entry shall be made onto property only with the consent of the owner or tenants thereof, or

with a proper inspection warrant or other remed, provided by law to secure entry.

SECTION 3607.2. Response to Complaint. Upon receiving a citizen complaint, the Director shall (1) review the complaint; (2) determine whether a responsible party has filed a valid notification form for the property in compliance with the requirements of Section 3606.2; and (3) where deemed necessary by the Director, conduct an inspection at the job site within 48 hours to determine the validity of the complaint.

SECTION 3607.3. Evaluation of Complaint. When determining the validity of a complaint, if the Director is not able to observe the actual performance of any work practices constituting violations of the performance standards of Section 3605, the Director shall investigate the following:

3607.3.1 the containment measures and work tools being used by the responsible party;

3607.3.2 the color(s) of paint being disturbed or removed by the responsible party;

3607.3.3 the color(s), quantities, nature, and locations of alleged visible lead paint contaminants;

3607.3.4 the colors, locations, and conditions of paint on adjacent properties, to determine if such paint could be a source of the alleged visible lead paint contaminants; and

3607.3.5 any work being performed on adjacent properties which could be a source of the alleged visible lead paint contaminants.

SECTION 3607.4. Authority of Director to Sample. The Director may also collect paint, dust, and soil samples from the property where the work is being performed and from adjacent properties in order to determine the validity of a complaint.

SECTION 3608. ENFORCEMENT. The Director is authorized to make use of all enforcement authority authorized by law, including, but not limited to, the authority set forth in sections 102 and 103 of this Code. The Director is further authorized, pursuant to Chapter 17 of this Code, following issuance of a Notice of Violation, to require as a condition of resuming work, that the responsible party conduct a special inspection by a certified risk assessor in order to establish that the regulated area is in compliance with this Chapter.

SECTION 3609. PENALTIES. In addition to any other penalties authorized by law, the Director may impose the following penalties for violations of this Chapter.

SECTION 3609.1. Administrative Penalties. The Director may impose administrative penalties for violations of this Chapter in accordance with the following procedure:

3609.1.1. Notice. The Director shall notify the responsible party in violation of a Notice of Violation that he or she has 72 hours to correct or otherwise remedy the violation or be subject to the imposition of administrative penalties. For those violations

that create an immediate danger to health or safety, the responsible party shall immediately remedy the violation or be subject to the imposition of administrative penalties.

3609.1.2. Limits. Administrative penalties assessed pursuant to section 3609.1.1 shall not exceed $1,000 per day.

3609.1.3. Additional Fees. In addition to the administrative penalty assessed pursuant to sections 3609.1.1 and 3609.1.2, the Director may assess additional fees to cover the reasonable costs incurred in enforcing the administrative penalty.

3609.1.4. Length of Penalties. Penalties and fees assessed under sections 3609.1.1 and 3609.1.3 shall continue to accrue against the responsible party until the violation of this Chapter is corrected or otherwise remedied in the judgment of the Director.

3609.1.5. Collection. The Director, or his or her designated representative, is responsible for charging and collecting any penalty or fee assessed pursuant to this section. The Director shall notify the responsible party in writing of the cost of the penalty and fee and declare that such costs are due and payable to the Treasurer of the City and County of San Francisco. If the penalty and fee are not paid within 30 days of this notice, the Director shall request that the Tax Collector to pursue collection of the penalty and fee.

3609.1.6. Use of Penalty. Any administrative penalty and fee received by the Treasurer of the City and County of San Francisco shall be placed in the Building Inspection Fund and used to offset

the Department's costs in connection with the administration and enforcement of this Chapter.

3609.1.7. Review of Imposition of Penalty. Any person that is designated as the party responsible for a violation or is subject to an administrative penalty or fee may seek administrative review of the designation or the assessment of the penalty or fee. Administrative review shall be initiated by the filing of an appeal with Director that specifies in detail the basis for contesting the designation of the responsible party or the assessment of the penalty or fee. Such appeal shall be filed within 15 business days of the imposition of the penalty or fee. Within ten days of the receipt of the appeal, unless extended by mutual agreement of the affected parties, the Director shall cause a hearing to be held before a hearing officer. The decision of the hearing officer shall be final.

SECTION 3609.2. Alternative Penalty.

3609.2.1. Scope. A person in violation of this Chapter may elect to attend a training course approved by the state Department of Health Services in lead-related construction supervision and project monitoring in lieu of paying an administrative penalty pursuant to section 3609.1. The Director shall require proof of attendance and satisfactory completion of the course, including certification from the instructor or provider of the course before dismissing the penalty assessed against the person.

3609.2.2. Applicability. The election set forth in section 3609.2.1 shall only be available to persons who have not previously

completed such a training course, and who have not been previously found by the Director to be in violation of this Chapter.

SECTION 3610. REMEDIES AND ENFORCEMENT BY CITY OFFICIALS.

3610.1. No Obligation by City. In undertaking the enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

3610.2. Discretionary Duty. Subject to the limitations of due process, notwithstanding any other provision of this code whenever the words "shall" or "must" are used in establishing a responsibility or duty of the City, its elected or appointed officers, employees, or agents, it is the legislative intent that such words establish a discretionary responsibility or duty requiring the exercise of judgment and discretion.

SECTION 3611. SEVERABILITY. If any section, paragraph, sentence, clause or phrase of this Chapter is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Article. The Board of Supervisors declares that it would have passed each section, paragraph, sentence, clause or phrase

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/ / /

of this Chapter irrespective of the fact that any portion of the Chapter could be declared unconstitutional, invalid or ineffective.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
David A. Greenburg
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
November 17, 1997	$	November 24, 1997
	$	
	$	
Ayes: Supervisors Ammiano Bierman	$	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Leal Medina	$	Brown Katz Kaufman Leal Medina
Newsom Teng Yaki Yee	$	Newsom Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
114-97-2

DEC - 5 1997
Date Approved

Mayor

Lead Poisoning Prevention Project

A publication of Consumer Action, 116 New Montgomery St, Suite 233 San Francisco, CA 94105 Spring 1997

Preventing Lead Poisoning and Other Childhood Diseases—The Problems and The Challenges

San Francisco is full of young children needlessly suffering from widely prevalent but totally preventable diseases. Lead poisoning is one of these diseases which is seriously damaging the health and well-being of low and moderate income, minority communities. The following is a description of the problems and challenges our Project faces in preventing these childhood diseases.

Lead can permanently impair a young child's learning ability, reduce hearing, stunt growth and alter behavior.

SAN FRANCISCO IS LITERALLY PAINTED WITH LEAD. The major source of childhood lead poisoning is paint used on the inside and outside of homes built before 1978. Unlike most cities, almost all (93 percent) of San Francisco's homes were built before 1978. There are also many other sources of lead poisoning in San Francisco, including:

- large numbers of residents from Latin America, Asia and the Pacific Islands who are using tableware, food cans and home remedies from their countries of origin that still contain lead;
- abandoned and operating industrial and commercial sites that contain lead right next to homes in low and moderate income communities, including old paint and battery factory sites, auto wrecking yards and dumps full of leaded debris;
- public facilities where children spend significant amounts of time, such as our school district's large pre-school program, public housing and the City's recreation and park facilities—many of which have lead hazards in their paint, soil and drinking water; and
- soil which is covered with lead in areas like the Mission because of the fires after the 1906 earthquake.

HOW DOES LEAD AFFECT YOUNG CHILDREN? Lead can have a devastating impact on children's lives, especially children who are poisoned when they are under 6 or in their mother's womb. Exposure to microscopic size amounts of lead can permanently impair a young child's learning ability, reduce hearing, stunt growth and alter behavior. Children with moderate levels of lead poisoning are much more likely to have reading disabilities, need remedial education and drop out of school.

HOW CAN YOU TELL IF A CHILD HAS LEAD POISONING? Children seldom show symptoms which look any different from a cold or the flu. A blood test is the only reliable way to diagnose whether a child is being currently exposed to lead.

Federal, state and local governments have spent hundreds of millions of dollars trying to educate parents and reduce lead hazards in housing and public facilities, but have had limited success at best.

CAN LEAD POISONED CHILDREN BE CURED? No. Lead poisoning cannot be cured. There is no way to reverse the often debilitating damage it causes. *Preventing exposures to lead is the only answer!*

THERE IS AN EPIDEMIC OF LEAD POISONING IN SAN FRANCISCO'S LOW AND MODERATE INCOME, MINORITY COMMUNITIES. One survey in San Francisco found that over 10 percent of the one

continued on page 4

Our Solutions: San Francisco's Community-Based Organizations Are Working Together to Meet This Challenge.

We believe that community based organizations (cbos) working together can build their communities' capacities to solve problems like lead poisoning better than anyone else. Our years of working with these cbos have recently culminated in the creation of the San Francisco Lead Prevention Community Collaboration (Collaboration). The Collaboration is changing San Francisco into a city full of healthy children living in decent housing by building an alternative health education system through community-based organizations, an effort which we believe is unmatched anywhere else in the country.

COLLABORATION MEMBERS AND THEIR ROLES. The Collaborations' members include 13 community-based organizations (cbos) providing a wide variety of services to San Francisco's families and children, including child, immigrant and tenant care, as well as affordable housing, community advocacy and more. The members of the Collaboration include cbos which provide services *throughout* the City's low and moderate income communities, and cbos whose services are focused on *specific areas* in the City. With respect to cbos providing City-wide services;

- **Wu Yee Children's Services and Children's Council of San Francisco** are the two child care resource and referral agencies funded to provide information and support services to families, child care centers and family day care providers;
- **San Francisco League of Urban Gardeners** operates an extensive urban gardening and low income youth employment program, which includes remediating soil with lead hazards;
- **Southeast Asian Community Center** provides health education to Southeast Asians throughout the City; and
- **Consumer Action's Lead Poisoning Prevention Project** continues to lead and coordinate the community capacity building and advocacy efforts of all the members.

> We must have an effective children's preventative health education system if we are ever going to have a sustainable, functioning City, and community based collaborations like ours hold the best promise for creating that system.

With respect to cbos which focus their efforts in specific communities:

- **Bernal Heights Housing Corporation** develops affordable housing and provides a variety of social services in Bernal Heights;
- **Chinatown Resource Center** develops affordable housing and provides a wide variety of services to Chinatown and the neighboring Tenderloin;
- **Saint Peter's Housing Committee** provides tenant services in the Mission;
- **Southeast Alliance for Environmental Justice** is a community advocacy organization located in the Bayview-Hunter's Point area;
- **Tenderloin Housing Committee** provides tenant services in the Tenderloin, South of Market and the Western Addition; and
- **Tenderloin Lead Coalition's members (Bay Area Women's and Children's Center, Southeast Asian Community Center, Tenderloin Youth Advocates)** provide family and children's services in the Tenderloin.

THE COLLABORATION'S MISSION. While we are not health care providers in the traditional sense, we want to help solve the health and housing problems in our communities because the direct services we provide to families and children will be far more effective if children are healthy and living in decent housing. Unfortunately, most of our City's health resources are spent for acute care, including treating children unnecessarily suffering from preventable diseases. One of the main reasons is that government agencies cannot effectively deliver preventative health care information to large numbers of parents and other care givers in the communities that most need to know this information. This cannot be allowed to go on any longer! We must have an effective children's preventative health education system if we are ever going to have a sustainable, functioning City, and community based collaborations like ours hold the best promise for creating that system.

OUR STRATEGIES ARE EFFECTIVE. This effort started in 1991, and the Collaboration is rapidly becoming a nationally recognized model for helping low and moderate income communities prevent childhood lead poisoning. We believe this model can be replicated anywhere in the country. ✣

Lead Prevention in San Francisco: The Community Drives the Process

CA's Lead Poisoning Prevention Project and the SF Lead Prevention Community Collaboration

THE COMMUNITIES

✔ OTHER COMMUNITY-BASED ORGANIZATIONS
✔ PARENTS, CAREGIVERS and other community members

CITIZEN ADVISORY COMMITTEES

✔ LEAD POISONING PREVENTION COMMITTEE: monitors implementation of legislation mobilizing government resources.
✔ LEAD HAZARD REDUCTION COMMITTEE: recommends new legislation to make all private housing lead safe.

CITY GOVERNMENT

✔ BOARD OF SUPERVISORS: Passes legislation, including the 1992 Comprehensive Lead Poisoning Prevention Ordinance.

✔ MAYOR'S OFFICES:
- *Children, Youth and their Families:* distributes educational materials to parents through their community-based grantees.
- *Community Development:* operates program to reduce lead hazards in licensed child care centers.
- *Housing:* administers HUD grant to reduce lead hazards and educate parents. Program operated by cbos.

✔ CITY AGENCIES:
- *Dept of Public Health:* educates, tests children for lead, provides case management for poisoned children, staffs citizen advisory committees, implements local legislation.
- *Dept of Building Inspection:* enforces building code, educates contractors.
- *Dept of Public Works:* manages City's construction projects.
- *Dept of Human Services:* educates parents.
- *Library:* carries and distributes educational materials.
- *Park and Rec:* cleans up facilities, educates parents.
- *Water Dept:* tests for and notifies users about lead in water.
- *Housing Authority:* cleans up housing units, educates tenants.
- *School District:* cleans up facilities, educates parents.

The Promise If We Succeed

We believe there are a number of reasons for joining with and supporting the Project's future work, including the following:

- we are working on significant health and housing problems in our communities which will only get worse without new solutions like ours;
- we are providing a unique, multi-dimensional community based response to preventable childhood diseases;
- we are proposing to substantially change the way traditional public health educators function to make their efforts far more effective;
- we are advocating for completely changing the way the health care system allocates its resources in order to prevent children from needless suffering, which must be done in order to provide more primary and acute care services to those in need—a monumental problem in this country which is not being adequately addressed by any of the leading institutions driving the way the current health care system operates;
- our response demonstrates how communities can drive the process for change and make government agencies and others respond to and support our community-based efforts, which seldom happens and is greatly needed in communities like ours throughout the country;
- we are developing a significant, seldom heard community voice which government agencies need to hear in order to better help us and serve our needs;
- our efforts promise to have significant impact on the ability of communities like ours throughout the country to solve their own problems and achieve real, long-term environmental justice.

We've created a community-based, disease prevention model which works. We started this effort with lead poisoning. Now we want to expand it to protect our children from needlessly suffering from a number of preventable diseases.

Our efforts involve a unique blend of different types of community based organizations providing family and children services in a number of different communities which share similar problems with health, housing, environment and the need for a better economic future. These organizations represent many racial, ethnic and national backgrounds Many of us have never worked together before because we don't provide the same kinds of services and don't serve the same communities. We are finding that there is great strength and richness in this diversity and sharing of common experiences. The Project and the groups we work with are demonstrating what "community empowerment" and "environmental justice" is all about every day as we learn to work together for our common good.

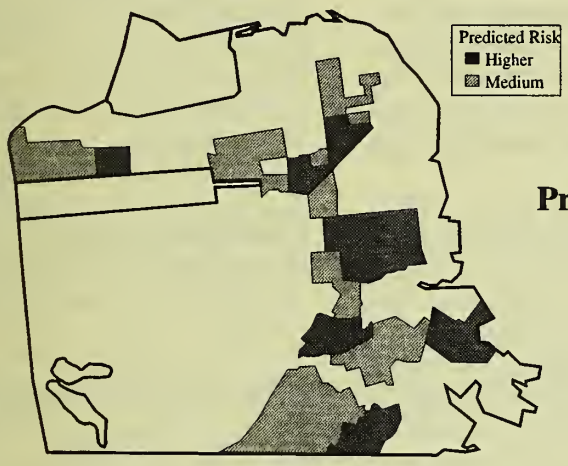
Far too many children living in San Francisco are needlessly suffering from entirely preventable diseases, and their needless suffering is causing significant damage to our communities' health and welfare. With respect to lead poisoning, it will be many years before the lead hazards in our housing are substantially reduced. Until that time, good preventative health education is the key to avoiding childhood lead poisoning. It's also the key to avoiding many other diseases in our communities. That's why we are helping to build our communities' capacities to help parents have healthy children. Parents and other child care providers are the most effective barriers between young children and these avoidable hazards and illnesses, and we have found an effective way to reach *all* of them and to change the behavior of parents and their young children in our communities.

But we haven't stopped at building an effective, community-based outreach and education program. We're mobilizing all the resources in San Francisco to protect children from lead poisoning, and we are doing so at a faster rate than other urban cities. We've created a community-based, disease prevention model which works. We started this effort with lead poisoning. We want to expand it to protect our children from needlessly suffering from a number of preventable diseases. We want to change our low and moderate, communities of color into ones full of healthy children who are free from debilitating, preventable diseases that could seriously damage their ability to learn, grow and function to the best of their given abilities. ✤

No urban area in the country can function and prosper without healthy kids living in decent, healthy, lead-safe housing.

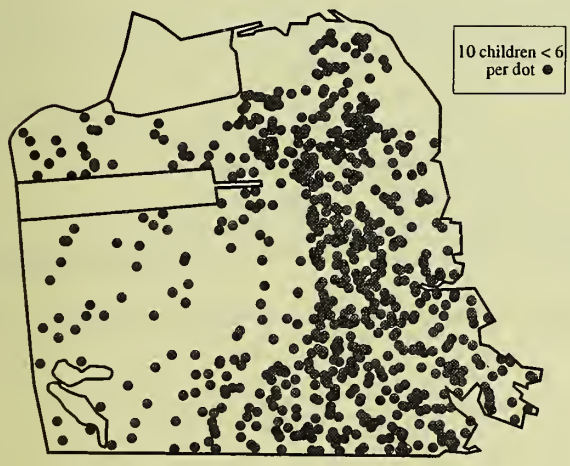
A Graphic Description of the San Francisco Lead Prevention Community Collaboration

As the maps below show, the Collaboration's members are located in the communities that are at most risk for young children's preventable health care problems such as lead poisoning.



Predicted Risk for Childhood Lead Poisoning

SF Department of Public Health, 1995
Based on 1990 Census Data of dwellings built before 1940
and children under 6 with family income below poverty level



Concentration of Children under Six in AFDC Households, 1995

Network-Berkeley Data Project

Members of the San Francisco Lead Prevention Community Collaboration

1. Chinatown Resource Center
2. Wu Yee Children's Services
3. Tenderloin Lead Coalition
4. Tenderloin Housing Clinic
5. Consumer Action's Lead Poisoning Prevention Project
6. St. Peter's Housing Committee
7. Children's Council of SF
8. Bernal Heights Housing Corp.
9. SF League of Urban Gardeners
10. Southeast Alliance for Environmental Justice

continued from page 1
year olds whose parents had low and moderate incomes had elevated blood levels. Another study, based solely on the poor condition of the housing in a low-income, Latino neighborhood, revealed that over 17 percent of the one year olds tested had elevated blood lead levels.

San Francisco's local government can be an important participant in our efforts. But it is not the answer to the problem.

FEW KNOW ABOUT THE PROBLEM, ESPECIALLY PARENTS IN SAN FRANCISCO'S DIS-ADVANTAGED COMMUNITIES. Parents are the first line of defense in preventing their children from being poisoned. But large numbers of parents living in San Francisco's low and moderate income communities don't know about the problem or how to protect their children from lead poisoning and other preventable diseases. San Francisco's children represent at least 14 major ethnic groups and live in 30 distinct neighborhoods. Their parents are difficult to reach by traditional public health methods because many are recent immigrants from different cultures who do not learn what they need to know from major public media and government education programs. Forty (40) percent of San Francisco's residents also don't speak English as a first language at home.

GOVERNMENT CAN'T MEET THIS CHALLENGE—EVER. Federal, state and local governments have spent hundreds of millions of dollars trying to educate parents and reduce lead hazards in housing and public facilities, but have had limited success at best. There are many reasons for their failures, including the fact that government agencies are crisis-oriented and notoriously weak on planning and prevention. They have short attention spans and find it difficult to build and maintain effective programs, especially in partnership with community-based organizations in disadvantaged communities. Many parents don't trust these agencies or their staffs. San Francisco's local government can be an important participant in our efforts. But it is not the answer to the problem, and it has much to learn about how to be an effective and supportive participant which understands how to work with and take direction from the communities it is supposed to serve.

THE GOOD NEWS. Although we face significant challenges, we are implementing solutions that work. Because of our efforts, San Francisco is by any measure far ahead of other West Coast cities in preventing childhood lead poisoning, but we have much more to do to make this a city full of healthy children living in decent housing. Read on to learn how we are meeting these challenges. ✤

CA Lead Project Staff:
Neil Gendel, Project Director
Caroline Mitchell, Associate Director
Soren Green, Administrative Assistant

This newsletter is supported by the Richard and Rhoda Goldman Fund, the James Irvine Foundation and The Home Depot.

Lead Poisoning Prevention Project
A Project of Consumer Action
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San Francisco, CA 94105
(415) 777-9648; (415) 777-9456 (Voice/TDD)

Address Correction Requested

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE LEE ENG
REBECCA EVANS

PAUL OKAMOTO
LINDA RICHARDSON
CHRISTINE RUSSELL

File No. POEC-003-98[News Release Procedures]

RESOLVED, that the following procedures shall be followed in the production and distribution of news releases:

All news releases from the Department of the Environment and the Commission on the Environment shall be reviewed for accuracy and appropriateness and then approved by the Director of the Department of the Environment and/or the President of the Commission on the Environment prior to release to the news media.

In the absence of the president and the director, the vice president or another commissioner shall have review and approval authority.

Unanimously adopted by the Public Outreach and Education Committee on April 8, 1998.

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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REBECCA EVANS

PAUL OKAMOTO
LINDA RICHARDSON
CHRISTINE RUSSELL

File No. POEC-002-98

[Establishing Fact Sheet Procedures]

Adopted as Amended on April 8, 1998

RESOLVED, that the following procedures shall be followed in the production of fact sheets:

1) Select and rank order topics to be written and produced.

2) Review existing materials from other sources for appropriateness or adaptability.

3) Decide which fact sheets should be produced.

4) Initial drafts of these materials would be done by the department staff (public outreach coordinator with director's oversight) with the help of commissioners and/or outside experts.

5) Final drafts of materials should be reviewed and approved by the department director and the commission president.

6) Priority topics shall be *sustainable economic development, pesticides, air quality, and biodiversity.*

Unanimously adopted by the Public Outreach and Education Committee on April 8, 1998.

City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

Willie L. Brown, Jr., Mayor
Mitchell Katz, M.D.
Director of Health

ENVIRONMENTAL HEALTH MANAGEMENT

Ben Gale, Director

March 10, 1998

RECEIVED
APR 02 1998
By

Beryl Magilavy, Director
Department of the Environment
1540 Market Street, Suite 160
San Francisco, CA 94102

Dear Ms. Magilavy: Beryl

This is in response to your letter of February 11, 1998 in which you expressed serious concerns relative to the story KRON-TV, Channel 4, aired on the rodent issue in San Francisco. Since we last spoke on the phone I have received a copy of the news cast from Channel 4 and have reviewed the video and the transcript with my Staff.

At the outset I wish to clarify the misconception that someone from Environmental Health went to the media "relative to rodent control problems and the IPM Ordinance." No one from this organization approached Channel 4 on this issue. Mr. Vic Lee, of Channel 4, came to our office to do a story on rats at the direction of his producer. This was a follow-up story that Channel 4 ran last year on rats in the inner Richmond District. The concern regarding antimicrobials has been resolved and to the best of my knowledge there is no one within this organization that has any issue with the existing ordinance.

You are correct in that several employees were unaware that the IPM Ordinance allowed for exemptions. It is my understanding that you personally informed Mr. Lee and my Staff members of the exemption provision prior to the news cast being televised. I will advise Mr. Lee of this misunderstanding.

Requests for exemptions is not an issue for this organization. As we discussed on the phone we do not use or apply pesticides; therefore we would never seek an exemption. Both Mr. Breslin and Ms. Palladino deny stating that "exemptions would be near impossible to get." Channel 4 indicated that their conclusion, on problems associated with obtaining exemptions, was based on information from your office and Dr. Harold Stein's interview.

In reviewing the transcript and video of the news cast I neither see nor hear any direct statements made by representatives of this organization that defame, let alone deserve being labeled as a "gratuitous slur on the IPM program." In fact, Mr. Breslin states that when Channel 4 interviewed him he purposely responded to the question on rat control that any program must employ the principles of IPM and that rodenticides of themselves would never solve the problem. The station chose not to include his statement. The tone of the news cast was set by Channel 4 and not Environmental Health Staff.

Sincerely,

Ben Gale

Ben Gale

ADMINISTRATION
1390 Market Street, Suite 210
San Francisco, CA 94102
Phone (415) 252-3800
Fax (415) 252-3818

cc copy

DEPARTMENT OF THE ENVIRONMENT

CITY AND COUNTY OF SAN FRANCISCO

BERYL MAGILAVY, DIRECTOR

TO: Ben Gale, Director
Department of Public Health, Bureau of Environmental Health Management

FROM: Beryl Magilavy

RE: Channel 4 Story re Rats

DATE: 4/2/98

Thanks for your letter of March 10, which we received today, and thanks for looking into the questions raised by the Channel 4 newscast. I will pass your letter on to our commissioners, who shared our concern about this unfortunate effort on Channel 4's part, and the Agricultural Commissioner.

It appears at this point as if this story really represented little more than a pretty below-the-belt effort on the part of this TV station to accrue ratings during sweeps week at the expense of both of our agencies and the City generally. Everyone interviewed seems to have been misrepresented, with the possible exception of someone from the pesticide application industry, who was undoubtedly unaware of the details of our implementation program, and is not exactly objective. Although, for that matter, who knows what the context of *his* remarks were, either.

Not exactly an impressive showing by the media.

1540 MARKET STREET, SUITE 160 · SAN FRANCISCO, CALIFORNIA 94102
PHONE 415-554-6390 · FAX 554-6393

TO: Commissioners, Commission on the Environment

FROM: Beryl Magilavy, Director

RE: Director's Report for February, 1998

DATE: April 9, 1998

IPM

We have had no indication that any department is ignoring the pesticide bans set out in the ordinance, but there are more requirements than that for departments to come into compliance with the ordinance. For IPM to work, it isn't just a matter of switching to less toxic chemicals, one also must work on the prevention side, which means things like not leaving food around and maintenance of facilities. The IPM service-provider cannot ensure that these conditions are optimized; it must be done by staff. In addition, the fundamental premise of IPM is a knowledge of what pests one is dealing with, and monitoring the situation. This also has to be done by the staff on site, which means they have to be trained to a certain extent. These responsibilities are necessary for all departments, not just those like the Recreation and Park Department and the PUC that have their own pest-management programs.

San Francisco's IPM program is structured so that the Department of the Environment receives proof of department compliance by being sent the department's IPM implementation plan. We delayed really going after non-complying departments until we were able to send them support material that would assist them in understanding the requirements of the ordinance. The Department of Agriculture sent the guidance documents out a month ago, and we are now starting to do more aggressive follow-up on non-complying departments.

With a reminder memo from me going out to all department heads two weeks ago, the flow of IPM implementation plans is starting to pick up a bit. We still have too low a level of compliance with the internal training and reporting aspects of the program, and we will ask the mayor's office to become involved with our next communication to department heads.

Fifteen insect fact sheets are in the final stages of production.

Al Hom has made presentations, jointly with other city staff, on the City's IPM program to the Commonwealth Club and at the Landscape Garden Show. A one-page overview on IPM was prepared and distributed at the Landscape Garden Show. About 250 were handed out.

You may recall that the Department is required by the IPM ordinance to report to the Board of Supervisors by July of this year on its recommendations as to how anti-microbials (cleaners and sterilizers) should be handled in the ordinance. Until 1999, these substances are completely exempted from the pesticide bans, but after that time they would be treated like all other pesticides unless the Board amends the ordinance. Mr. Hom is concluding his research work in preparation of making a recommendation to the Commission for its consideration before the report goes to the Board.

I have designed a database to enable Mr. Hom to keep track of the myriad of details involved in overseeing various stages of compliance for the 70 city agencies. We are in the process of

moving the database onto the new network system, which has involved some technical difficulties.

EIR Discussions on Potential Sale of Power Plants in Bayview

The State PUC staff working on the environmental impact report for PG&E's sale of the power plant have agreed to consult with San Francisco staff to ensure that events that might transpire if the City purchased the power plants are included in the various scenarios considered in the EIR. This is important because any potential scenario not included in the EIR will be precluded in future without a new environmental review process. By scenario, I mean set of different possible courses of action, such as 1) buy both plants, decommission them both, get all power from enhanced transmission lines; or 2) buy both plants, decommission them sequentially, build a new local plant, etc. There have been two meetings between the PUC staff and consultants and, representing San Francisco, Director of Environmental Review Hillary Gittelman, SFPUC Senior Planner Laurie Park, SFPUC's attorney, a consultant who has worked with SFPUC, and myself. At this point, it appears that all of the possible scenarios are on the table for consideration for inclusion in the EIR. However, according to the California Environmental Quality Act, the scenarios are supposed to be "feasible" scenarios, and there is still some uncertainty as to what criteria the team is using to define "feasible." Discussions will continue.

Green Building Ordinance

The City Attorney's office has completed the first draft of a new version of the green building ordinance, which has been sent to Supervisor Ammiano's office for the review. We should be receiving a review draft shortly.

With the facilitation of Commissioner Vietor, we organized a tour of the Tides Center (a "green" building) for architects from DPW and environmental planning staff from several other agencies. It was very well attended, and the attendees felt the information provided by the project architect would be very useful to them.

Sustainable Development Forum

Due to a change in the mayor's schedule, the sustainable development forum scheduled for April 30 has been cancelled.

At this point, we are planning to reschedule it some time in the fall, if the mayor's interest warrants it.

Public Outreach

In mid-March, I spoke at the GLOBE conference in Vancouver about the City's sustainability planning process. The conference was also a trade show for vendors of environmental products, and I had hoped to gather material on a number of products that might be of use with respect to green building. There were a few such products, but most of the vendors were either consulting firms or vendors of very large, industrial installations such as wastewater treatment plants. I did

get some good ideas for dissemination of public information via web-site design from the Manufacturing Institute of Canada. We are working now to incorporate them into our web-site.

The webmaster of the City's web site will be meeting with the Public Outreach Coordinator to draft a new design for the Department's web-page that could possibly incorporate new, more interesting and attractive visual and pictorial elements.

We plan to add links to a Commission web-page that would contain notices, agendas, and minutes of Commission meetings and the text of resolutions adopted by the Commission and its committees, as well as brief biographies of the commissioners.

There may be additional links to:

- A page for news and announcements, and/or releases of the Department and/or the environmental community;
- A publications page containing the *Guide to San Francisco Environmental Services* and other publications, including fact-sheets; and
- Other pages that the Commission or the Department may designate.

The current IPM page will be augmented with a list of chemical exemptions granted and denied, and a listing of IPM training dates and locations as per request of the Department of Agriculture.

A fact-sheet on sustainable economic development has been prepared, with design assistance by Jill Rosenblum, a volunteer recruited by Commissioner Vietor. The fact-sheet was distributed at the Vancouver conference. A supply will be available at the next commission meeting. We provided a supply as hand-outs for a business conference to a member of the public who is a consultant on green business practices.

Brief information-sheets on biodiversity, brownfields, and air quality have been prepared at Commissioner Eng's request by students at Golden Gate School of Law. They are extremely useful as a condensed core of information that can be used to quickly prepare department fact-sheets. The fact sheet on biodiversity is in final peer review.

The new version of the *Guide to San Francisco Environmental Services* is at the printer. We have also reproduced via photocopy the Chinese version for the Chinatown Earth Day fair. The phone numbers have been updated on this version, but not the foreign-language text.

Administration

President Vietor and I are meeting with Budget Director Matthew Hymel on April 20 to discuss the department's budget.

I have spent quite a bit of time in the last month integrating the general databases used by individual staff people into one "networkable" database. Nancy Gibbons is beginning the rather lengthy process of becoming familiar with Access programming so that we will have other in-house capacity besides mine. These programming services are also available via work-order from ISD, but the time-frame becomes very much longer for getting anything done, and without

our own expertise, we would not be able to make changes as appropriate to the changing work load.

Discussions have begun on preparing a proposal for grant funding from the US EPA. An overview of the proposal as it has been put together so far is attached.

We did not get the Sustainable Community Development Grant from the EPA. They were looking for something with a bit more pizzazz than the data collection on resource conservation in "green" buildings that we proposed. We will continue to look for sponsors for this work, and will next try the Department of Energy.

Air Quality Legislation

Supervisor Ammiano's office is preparing to introduce comprehensive air quality legislation. I have been reviewing drafts and making recommendations in aid of advising the Commission on a potential future resolution in support of the legislation.

Overview of Potential Project
For Submission to US EPA for Funding
Under the EMPACT Grant Program

The EPA has issued a paper expressing its intent to support a competition as part of a new program called Environmental Monitoring for Public Access and Community Tracking (EMPACT). The awards for 12 – 24-month programs will range from $250,000 to $600,000.

Program Criteria

Goals for this program are to:

- Incorporate improved and updated technologies for time-relevant environmental measurement and monitoring;
- Facilitate public access to comprehensive environmental information that is easily understood;
- Provide effective tools for communicating, interpreting, and applying environmental data and information;
- Establish partnerships with states and communities to ensure that the information is useful and timely for families and communities; and
- Develop a framework within which communities can work, but that will also provide the ability to aggregate information on a local, regional and national scale.

The programs they will support must include the following three elements:

1. Environmental parameter monitoring / measurement, which involves insuring valid measurements of environmental parameters while applying new, innovative measurement technology to provide time-relevant environmental data and applicable quality assurance procedures.

2. Information management, processing, and delivery, which involves the transmission, storage, or processing of measurements of environmental parameters, dissemination using new or innovative technologies that can capture environmental data, and making the data available to the general public in a timely fashion. Information management also involves data documentation and data standardization.

3. Communication, which involves interpreting and presenting information in a time-relevant manner to citizens in a format that is easily understood and will be useful to their day-to-day decision-making relative to the environment.

Department of the Environment's Proposal

The Department of the Environment would submit a proposal as lead agency, working in conjunction with the San Francisco Transportation Authority, the Solid Waste Management Program [and possibly others in the city], [and possibly the San Francisco Urban Institute].

The proposed program would use the framework of the sustainability plan indicators to collect environmental data and present it to the public in a timely fashion. Aspects of the program would be:

Somewhat Firmed-Up Aspects of the Proposal

1. The Transportation Authority would be the primary data collection and analysis partner in this effort. They have available sources of funding other than the subject EPA program. Their part of the program would provide:

    a. Collection and analysis of data on **congestion** by monitoring vehicle traffic in several strategic intersections around town with **in-street counting loops**. At least one of these loops is already in place.

    b. A pilot program that would provide **timely personal transit information to the public using global positioning technology**. As currently under discussion, either a hand-held device or a device located at bus stops would provide information on next bus to passengers on one major test street: **Geary Boulevard**. Geary handles more daily passengers than any corridor in the country. Limiting the program to one street focuses on the technology rather than the transit system logistics, and makes the effort clearly a test in the eyes of the public.

2. Data would also be collected on other indicators that would provide information usable day-to-day by the public.

    a. Karen Strandoo of the Solid Waste Management Program says it may be possible to get daily, or at least frequent, volumes of trash (which could be translated into **per-capita waste consumption**) from the transfer station;

Still Speculative Aspects of the Proposal

    b. We will contact PG&E to see if we can get data for **energy use by sector** (such as residential, industrial, etc.) on a frequent basis;

    c. We will contact the Department of Motor Vehicles to see if we can get data on the percentage of **alternatively fueled vehicles registered in San Francisco**.

3. Information would be distributed to the public via a weekly news bulletin. At this point, we are discussing:

    a. Getting the collaboration of a local television station for an environmental news spot as part of the local news or weather report;

    b. Putting the information on those moving display screens in MUNI metro.

4. We might collaborate with the San Francisco Urban Institute of San Francisco State to do *before* and *after* studies of the level of environmental awareness and other aspects of the impact of the program.

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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NOTICE OF MEETING AND AGENDA

TUESDAY, APRIL 14, 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

REGULAR SESSION
6: 00 P.M.

COMMISSIONERS

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE L. ENG
REBECCA EVANS
PAUL C. OKAMOTO
LINDA RICHARDSON
CHRISTINE H. RUSSELL

BERYL MAGILAVY
DIRECTOR OF THE DEPARTMENT OF THE ENVIRONMENT

CHRISTOPHER CHOW
COMMISSION SECRETARY

DAVID GREENBURG
DEPUTY CITY ATTORNEY

1540 MARKET STREET, SUITE 160, SAN FRANCISCO, CALIFORNIA 94102
TELEPHONE: (415) 554-6390 FAX: 554-6393 HTTP://WWW.CI.SF.CA.US/ENVIRONMENT

ACCESSIBLE MEETING INFORMATION

Air Quality

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

Public Transportation
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Accessibility of Meeting Location
The meeting room is accessible by wheelchair. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are the #42 Downtown Loop, #71 Haight/Noriega, the F-line to Market and Van Ness, and the MUNI Metro stations at Van Ness and Market and Civic Center. For more information about MUNI accessible services, please call 923-6142.
There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial complex.
Large print agendas, audio tapes of minutes, sound-enhancement equipment, and other services to aid the visually and hearing-impaired to attend the meeting are available by calling 554-6390.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE
(Chapter 67 of the San Francisco Administrative Code)
Government's duty is to serve the public, reaching its decisions in full view of the public.
Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

ORDER OF BUSINESS

April 14, 1998
6 p.m.
Room 207, 401 Van Ness Avenue, San Francisco

1.	**Call to Order and Roll Call**	
2.	**Approval of Minutes Regular Meeting of March 10, 1998**	**ACTION**
3.	**Consent Calendar –** File No. POEC-002-98. Amending Fact Sheet Procedures File No. POEC-003-98. Adopting News Release Procedures	**ACTION**
	REGULAR CALENDAR	
4.	**Chemical Exemption Requests** – None.	
5.	**Communications** **A. Correspondence** **B. Hearing on Environmental Health** – Commissioners Vietor and Eng Judy Brady, Toxics Links Coalition Karen Cohn, Community Health Promotion & Prevention, DPH Neil Gendel, Healthy Children Organizing Project, Consumer Action Greg Karras, Communities for a Better Environment Duco Noordzij, Zero Dioxin Alliance, CBE	**INFORMATION**
6.	**Finance & Operations Committee Report**	**INFORMATION**
7.	**Planning & Policy Committee Report**	**INFORMATION**
8.	**Public Outreach & Education Committee Report**	**INFORMATION**
9.	**Director's Report**	**INFORMATION**
10.	**President's Report**	**INFORMATION**
11.	Other Business	**INFORMATION**
12.	**Public Comment**	**INFORMATION**
13.	**Adjournment**	

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

DRAFT MINUTES

REGULAR MEETING OF APRIL 14, 1998

1. **Call to Order and Roll Call.** The meeting was called to order at 6:05 p.m. by President Vietor. Present were Commissioners Eng, Evans, Krefting, Richardson, and Vietor. Commissioner Okamoto arrived later. Commissioner Russell was absent.

2. **Approval of Minutes of Regular Meeting of March 10, 1998.** Upon motion by Commissioner Richardson, unanimously adopted.

3. **Consent Calendar** – Unanimously adopted, 5-0, upon motion by Commissioner Eng.
   File No. POEC-002-98. Amending Fact Sheet Procedures.
   File No. POEC-003-98. Adopting News Release Procedures.

REGULAR CALENDAR

4. **Chemical Exemption Requests** – None.

5. **Communications**

   A. **Correspondence** – President Vietor received a letter (April 7, 1998) from Dr. Mitchell Katz, Director of Health. His letter acknowledged the inaccuracies contained in the KRON-TV report on rats and the Integrated Pest Management Program (IPM); indicated that the broadcast took DPH staff statements out of context; and extended an apology on behalf of his Department for this unfortunate incident. President Vietor also received a copy of Dr. Katz' letter to KRON-TV, via its legal counsel, Landels Ripley and Diamond, Attorneys LLP, correcting the misrepresentations or inaccuracies made by KRON-TV in its February 9, 1998 broadcast.

   B. **Hearing on Environmental Health** – Commissioners Vietor and Eng.

   Judy Brady of the Toxic Links Coalition testified that her involvement with dioxin issuesbegan after she was diagnosed with breast cancer. She noted that the World Health Organization's statistics indicated San Francisco has the highest rate of breast cancer in the world. Ms. Brady described dioxin as a leading contributor to cancer, an immune system depressant, and a reproductive toxin that can lead to birth defects, learning disabilities, and other severe consequences. Ms. Brady asked the Commission to endorse the Healthcare Without Harm campaign and urge San Francisco to purchase paper not bleached with chlorine.

   Industrial hygienist **Laura O'Heir** from the Community Health Promotion and Prevention branch of the Department of Public Health outlined the dangers and prevention efforts related to lead poisoning. Ms. O'Heir said her program was expanding its mission beyond lead to focus on prevention and investigations of other environmental threats to human health.

In response to Commissioner Richardson's query on remedial or enforcement actions available, Ms. O'Heir said children identified as at-risk can be removed or relocated from a lead hazardous area, and with regard to private property, landlords are held responsible. Commissioner Evans asked about the Housing Authority's level of compliance. O'Heir said the public health department doesn't handle lead issues/cases there.

Neil Gendel, director of the Healthy Children Organizing Project (formerly Lead Poisoning Prevention Project) of Consumer Action, described the work of his organization. He said the Commission should support the implementation of the SanFrancisco Unified School District's lead poisoning prevention policy and that of the Recreation and Park Department. He added, "we need real performance now."

Greg Karras, senior scientist of Communities for a Better Environment, briefed the Commission on community efforts against the spread of dioxin and the promotion of healthy beaches and bays in the region. He asked the Commission to pass resolutions in support of a comprehensive dioxin policy and the CBE's Healthy Bays and Beaches campaign.

From a scientific viewpoint, said Mr. Karras, dioxin poses an insidious threat to human health. Dioxin accumulates in discharges and throughout the food chain. Beef is a main accumulator of dioxin and high levels of the industrial by-product are present in fish caught for food in San Francisco Bay. Dioxin is particularly injurious to children because of its "neuro-toxicity." It is a source of measurable slow-learning. Mr. Karras said the outflow of the Southeast sewage treatment plant is approaching dioxin limits and that sources of dioxin in San Francisco must be investigated and fully identified (even sources outside of the city, such as cotton fibers and fabrics sprayed with pesticides overseas).

Commissioner Evans asked about non-stationary, mobile sources of dioxin, such as tar roofing companies. Mr. Karras said the exhaust of diesel vehicles contains dioxin, but he didn't know if dioxin wass formed at the refinery or in the combustion engine.

Duco Noordzij, a volunteer and board member of SAFER! (San Francisco Bay Advocates for Environmental Rights!) who enjoys swimming in the ocean, described his concern with maintaining healthy beaches and bays. Mr. Noordzij described his group's work with children and youth. He presented a series of video still pictures showing foam at Ocean Beach containing excess bacteria and an outflow pipe at Baker Beach without fencing and adequate signage. He said areas of Ocean Beach, Baker Beach, and Crissy Field on the bayside of the Presidio have had closures 2,324 times in the last six years, or 130 days a year. He requested the Commission's " autograph" on a resolution calling for a thorough review of water/sewage treatment processes and plants. He further commented that there have been 13 overflows this year in San Francisco and that the City must correct its currently inadequate sewage system to eliminate overflows of unhealthy water during storms.

Commissioner Richardson agreed with that assessment and asked what guidelines or criteria the Public Utilities Commission and other agencies with water jurisdiction should be asked to apply in ensuring water quality for San Francisco. Commissioner Evans suggested that the Natural Resources Defense Council and the Public Utilities Commission should be consulted prior to drafting any resolutions on these matters.

During public comment, **Nia Womack,** a San Francisco Conservation Corpsperson who works with middle school youth on environmental and water-quality projects, stressed the urgency of keeping our water resources and system healthy for all. She emphasized that many youths are at risk of "health violence," that is, health problems and ailments brought on by an inadequate system.

6. **Finance & Operations Committee Report.** Commissioner Richardson reported that though there was no quorum, several issues were discussed without action.

7. **Planning & Policy Committee Report.** Chairperson Evans reported that the committee would be meeting on Thursday to consider resolutions.

8. **Public Outreach & Education Committee Report.** Chairperson Eng reported that the Commission and the Department will have an exhibit/information booth at the 3rd Annual Chinatown Festival for the Environment on Sunday, April 19. The production of fact sheets on biodiversity, dioxin, pesticides, and other topics are well underway.

9. **Director's Report.** Director Magilavy reported that her speech on sustainability planning before the Globe Conference in Vancouver, British Columbia, Canada (March 20) was well received by the audience of planners and vendors. The director further reported on the progress of the city's Integrated Pest Management program: the upcoming July 1 deadline for forwarding recommendations to the Board of Supervisors regarding the classification of anti-microbials that are now exempt from the IPM ordinance until January, 1999; an update on the Commission's and the Board's request to the PUC for a study of whether San Francisco should buy the Potrero and Hunters Point power plants from PG&E; and the status of the green building legislation. Director Magilavy said she and President Vietor would be meeting next week with Matthew Hymel, the Mayor's Budget Director on the Department's budget for FY 1998-99.

10. **President's Report.** President Vietor reported that she testified before the Public Utilities Commission supporting a feasibility study on the city's possible purchase of the PG&E power plants. (See Commission Resolution No. 001-98-COE, and the Board of Supervisor's resolution.) An evening reception to celebrate Earth Day on April 22, 1998 was cancelled in favor of a breakfast with Supervisor Newsom, 50 environmental leaders, and Mayor Brown, who will share his environmental vision for the City and County of San Francisco.

11. **Other Business.** Commissioner Evans requested that the commission secretary in future remind the commissioners of planning for Earth Day events. Commissioner Eng requested that the augmented staff of deputy city attorneys assigned to environmental matters compile a list of local environmental ordinances and policy resolutions and statements adopted by San Francisco. Deputy City Attorney David Greenburg indicated this was problematic, since the City Attorney's office does not have ordinances catalogued as *environmental*. Regarding policy resolutions, he said those are recorded with the Clerk of the Board of Supervisors.

12. **Public Comment.** Mike Thomas of the Zero Dioxin Alliance urged the commissioners to call Mayor Brown and the Department of City Planning requesting a 30-day extension for public comment on the Mission Bay Environmental Impact Report. Mr. Thomas noted that with the retention of a wastewater consultant just last week, and the choice of the toxics consultant not yet made, there was insufficient time allowed for public review and comment on the Mission Bay EIR.

13. **Adjournment.** The meeting was adjourned at 8:35 p.m.

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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NOTICE OF MEETING AND AGENDA

TUESDAY, MAY 12, 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

REGULAR SESSION
6: 00 P.M.

COMMISSIONERS

FRANCESCA VIETOR, PRESIDENT
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(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

ORDER OF BUSINESS
May 12, 1998
6 p.m.
Room 207, 401 Van Ness Avenue, San Francisco

1. **Call to Order and Roll Call**
2. **Approval of Minutes of April 14, 1998** — **ACTION**
3. **Consent Calendar –**
   File No. FOC-002-98 Approve Preparation of Grant Proposal to U.S. EPA
   File No. FOC-003-98 Guidelines for DEnv Drafting Legislation
   File No. FOC-004-98 Policy Prohibiting Violence in the Workplace
   File No. PPC-010-98 Commission Resolution Procedures

REGULAR CALENDAR

4. **Chemical Exemption Requests –** None.
5. **Quarterly Report on Integrated Pest Management Program** — **INFORMATION**
   David Frieders, Agricultural Commissioner
6. **Communications** — **INFORMATION**
   A. Correspondence
   B. Hearing: Sustainable Business – Commissioner Richardson

      Sheila Davis, Materials for the Future Foundation
      T. Estrada, Urban Habitat Program
      Janet Jacobs, Sustainable San Francisco
      Steve Lippman, Business for Social Responsibility
      Mohammed Nuru, San Francisco League of Urban Gardeners
      Paula Wagner, Environmental Careers Organization
7. **Finance & Operations Committee Report** — **INFORMATION**
8. **Planning & Policy Committee Report** — **INFORMATION**
9. **Public Outreach & Education Committee Report** — **INFORMATION**
10. **Director's Report** — **INFORMATION**
11. **President's Report** — **INFORMATION**
12. **Other Business** — **INFORMATION**
13. **Public Comment**
14. **Adjournment**

121

File No. FOC-002-98 Approve Preparation of Grant Proposal to U.S. EPA.

RESOLVED, that the Finance and Operations Committee of the Commission on the Environment approves the preparation of a proposal by the Director of the Department of the Environment to the United States Environmental Protection Agency under its Environmental Monitoring for Public Access and Community Tracking (EMPACT) program; and,

FURTHER RESOLVED, that the proposal designate the Department of the Environment as the lead managing agency of a collaboration with other city agencies, such as the San Francisco Transportation Authority and the Solid Waste Management Program, and organizations in the non-profit sector, such as the San Francisco Urban Institute at San Francisco State University; and,

FURTHER RESOLVED, that the project would use the framework of the sustainability plan indicators to collect environmental data and present it to the public in a timely fashion.

File No. FOC-003-98 Guidelines Regarding Participation by Department of the Environment in Drafting Legislation

WHEREAS, The staff resources of the Department of the Environment are inadequate to respond to all requests for legislative assistance that have been made to it, now, therefore, be it

RESOLVED, That requests from the Mayor and the Board of Supervisors for the drafting of, or assistance or collaboration in the drafting of legislation, shall be considered on a case-by-case basis, with consultation between the Director and the President of the Commission on the Environment regarding the Department's current ability to respond to the requests.

File No. FOC-004-98 **POLICY PROHIBITING VIOLENCE IN THE WORKPLACE**

Under the authority of Section 3.6660 of the Charter of the City and County of San Francisco, the Commission on the Environment adopts the following policy on workplace safety:

POLICY

It is the policy of the City and County of San Francisco to require employees to treat co-workers and members of the public with courtesy and respect. The City and County of San Francisco will not tolerate any assaults, battery or threats or acts of violence by employees in the workplace.

Employees are also prohibited from bringing weapons to the job, unless required by the City and County department in the performance of the employee's official duties. Weapons include, but are *not* limited to, firearms, or other weapons defined in the California Penal Code Section 12020.

Failure to comply with this policy may result in employee discipline up to and including termination.

I. REPORTING

Employees have the responsibility to report any threats or acts of violence to their respective supervisors. When notified by a health care provider of a threat against an employee ("Tarasoff Warning"), the department head, Human Resources official, personnel official, or designee shall notify the affected employee as soon as possible.

III. INVESTIGATION

Supervisors and managers through the department head, Human Resources official, personnel official, or designee have the responsibility to investigate any reported incidents of threats or acts of violence by any employees and to take appropriate action.

IV. REMEDIAL ACTION

Appropriate action taken by the department head, Human Resources official, personnel official, or designee may include, but is not limited to, one or more of the following depending on the nature of the threat or act of violence:

- Calling Emergency Response "911," if the threat is immediate or life-threatening;
- Placing the employee on administrative leave in accordance with Charter Section 8.341 or suspension in accordance with Charter Section 8.342;
- Referring the matter to the City Attorney to determine if a restraining order is appropriate;
- Requesting the Human Resources Director to schedule a medical examination to determine fitness for duty;
- Imposing disciplinary action up to and including dismissal or termination;
- Admonishing the employee(s) that such behavior is unacceptable and will not be tolerated;
- Referring the employee to the Employee Assistance Program or to a health care/medical provider;
- Any employees who are a target of an act or threat of violence may be referred to the Employee Assistance Program or other support services;

Other measures may be taken as appropriate under the circumstances.

File No. PPC-010-98 Commission Resolution Procedures

121)

RESOLVED, issues may be brought to the attention of the Commission by one of the following steps:

1. By submission of an Issues Submittal Form, or a letter, to the secretary of the Commission;

2. By comment at any public meeting; or

3. By private communication to any commissioner; and

FURTHER RESOLVED, resolutions may be brought before the Commission by the following procedures:

1. Resolutions must have a sponsoring commissioner;

2. The sponsoring commissioner should submit the resolution to the president, through the secretary of the Commission;

3. The president will assign it to committee, or send it directly to the full Commission;

   a) Once assigned to committee, but before committee consideration, the commission secretary will make every effort to ensure that commissioners have objective information on which to base their decisions;

   b) To ensure that interested parties are apprised of the resolution's consideration in committee, the secretary will send a copy of the resolution and the agenda for the meeting at which it will be discussed to:

      i. The director of any city agency cited in or affected by the outcome of the resolution;

      ii. The mayor's office, if the resolution cites or would affect any of the offices of the mayor or his or her staff, or if, in the opinion of the president of the Commission, it is otherwise important that the mayor be informed;

      iii. Anyone who has asked to be informed on the issue;

      iv. Organizations known to the department to be likely to have an interest in the issue;

4. A resolution will emerge from committee:

   a) If it has been passed by committee and forwarded to the Commission;

   b) If it has not been acted on by committee, but

i. The committee chair forwards it to the Commission without recommendation, or

ii. The president of the Commission removes it from committee and puts it before the Commission;

5. The president will place the resolution on the Commission's regular calendar, or on the consent calendar; the group mentioned in item 3(b) above shall again be given notice of the agenda of the meeting at which the resolution is considered;

6. If a non-administrative resolution is passed by the Commission, the secretary shall forward a copy of the resolution to:

   a) The director of any agency affected by the resolution,

   b) The Clerk of the Board of Supervisors,

   c) Each member of the Board of Supervisors, and

   d) If directed to do so by the president, the Mayor;

7. If the resolution has urged the Board of Supervisors to take action on a matter, discussions by commissioners and staff with individual supervisors regarding the Board's potential action should be coordinated through the president of the Commission;

AND FURTHER RESOLVED, that texts of adopted resolutions shall be forwarded to the Documents Department (Government Information Center) of the Main Library for official archiving and public posting. The resolutions will also be posted on the Commission's web page. Copies of the resolution may also be distributed to the news media.

121)

DEPARTMENT OF THE ENVIRONMENT

CITY AND COUNTY OF SAN FRANCISCO

BERYL MAGILAVY, DIRECTOR

TO: Commissioners, Commission on the Environment

FROM: Beryl Magilavy

RE: Director's Report for April, 1998

DATE: May 6, 1998

I will be out of town from May 26 through June 3.

IPM

Mr. Hom has been selected to serve on the jury for a rather long trial, but is able to be in the office at the beginning and the end of the day, and has admirably kept up with the goals we've set for advancing the program.

We are continuing to contact agencies who have not yet submitted IPM implementation plans. It is somewhat difficult to break through the perception that this ordinance couldn't possibly apply to agencies that a) contract out for pest management services, b) are tenants of private landlords, and/or c) have facilities that are only offices. We will continue to pro-actively contact those from whom we have not heard, to bring them into compliance. For the review information of commissioners, attached to this report is an overview of the compliance requirements of city departments. We are also gradually beginning to talk with city agencies about their obligations with respect to informing tenants on city property for which they are responsible that the tenants are also covered by the IPM ordinance. The Port's legal staff is working on new lease language.

A number of fact-sheets on common pests (e.g., ants, cockroaches, rodents) are in the final stages of production. Nancy Gibbons has done a really first-rate design of these information sheets.

Mr. Hom plans to have a recommendation for the Board of Supervisors on the subject of antimicrobials ready for committee consideration in June. The report is to go to the Board in July He also is completing his research for recommending a list of permanently exempted chemicals "commonly used as part of an IPM program," and research on landscape guidelines for IPM—pest-resistant cultivars, companion planting, and the like. He is continuing to work on a general-interest article for an IPM journal.

Mr. Hom will be working with the Department of Agriculture on a "train the trainers" program for dissemination of IPM information to the 35,000 city employees. He would like to see greater emphasis on hands-on interactive training for the IPM coordinators. Within the next couple of weeks, he will have a series of live and pinned insect display cases for demonstration purposes. He is also putting together a slide set of major urban insect and weed pests, and discussing the possibility of giving Spanish-language presentations on IPM.

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PHONE 415-554-6390 · FAX 554-6393 · http://www.ci.sf.ca.us/environment

Public Outreach

Chinatown Festival for the Environment

The Department's participation in the Third Annual Chinatown Festival for the Environment on Sunday, April 19, 1998 was very successful and visible. Our booth was emblazoned with a 4' x 6' *Department of the Environment, City and County of San Francisco* banner. Organized by the Chinese Progressive Association, Asian Pacific Environmental Network, Chinatown Community Development Center, Community Educational Services, and Golden Gate University School of Law – Environmental Law and Justice Clinic, the festival was attended by an estimated two thousand people.

The festival featured some 30 exhibitors representing community organizations, government agencies, and advocacy groups. The Department's table at the festival was one of several government exhibits, which included the Solid Waste Management Program, US EPA, Department of Public Health – Tobacco Free Project, California EPA, Department of Building Inspection, and the Water Pollution Prevention Program. Other exhibitors included the Golden Gate University School of Law Environmental Law and Justice Clinic, NorCal Solid Waste System, Inc., and San Francisco League of Urban Gardeners.

Graced with insect displays and various materials, our booth drew many adults, children, and youths—many made repeat visits to our booth.

The insect displays included four jars of live cockroaches (the American, brown-banded, German, and Oriental species), and several trays of mounted insect specimens obtained by IPM Program Coordinator Al Hom. The display included a tarantula, a water bug, a rhinoceros beetle, a wasp, lady-bugs, and others. Our printed materials included the Chinese version of the *Guide to San Francisco Environmental Services,* fact sheets on insect IPM in Chinese, and English-language materials on plant insects and house-mouse prevention and control.

Publications

The new, updated and re-designed edition of our popular *Guide to San Francisco Environmental Services* has been printed in 3,000 copies. Copies will be distributed through the branches of the San Francisco Public Library and through direct mailings to other city agencies, local university libraries, and a number of other audiences.

Web Site Re-Design

Re-design of the Department's web site is now underway. The Department is working with Jennifer Schuler, primary web designer for the Department of Telecommunications and Information Services (DTIS) to make the site more attractive and useful. More visual

and informational elements will be added, including sections for news and announcements, and links to other environmental sites. We are reviewing other departments' web pages on the City's official web site previously designed by Ms. Schuler to help us with re-design and construction concepts. Additions to our web site include a Commission on the Environment page, a *Guide To San Francisco Environmental Services* page and an *Environmental State of the City Report* page. The Commission's page would contain meeting notices and agenda, minutes, texts of adopted policy resolutions, and brief biographies and possibly photographs of the commissioners. A separate publications page will contain fact-sheets and other informational material produced by the Department.

There will be links to other web sites devoted to environmental or sustainability topics.

The public outreach coordinator is searching for graphic art, pictorial icons, and/or photographs of nature and the urban landscape that would enhance the look of the site. Ideas and suggestions are welcome. We plan to have the new design and construction of our web site completed no later than mid-summer. (The current site will remain active during re-design.)

Report via Christopher Chow

Green Building [Resource-Efficient Design] Ordinance

We have been working with Supervisor Ammiano's office on the redraft of the Resource Efficient Design Ordinance. A new section on indoor air quality has been drafted, and will be making the peer-review rounds of the interagency working group shortly. We are all anxious to have this drafting process completed.

Administration

We are still waiting for our network to be configured so that it works properly. There has been a shortage of staff at DTIS.

We have begun preliminary work on an annual report. Our target date is October.

There seems to be some reluctance on the part of Interface, Inc. to finish the installation job on our carpeting. Suite 160 was completed some months ago; Room 190 is still awaiting completion, and we cannot really use the space until they are finished. Commissioner Okamoto is following up on this issue since his was the initial contact with them.

Sustainability Plan

Sustainable San Francisco is working on a project to assess the current status of the actions proposed in the Sustainability Plan. We are going through the 15 different sections and giving them an idea of what municipal agencies are most likely to be addressing (or potentially

addressing) the various actions proposed in the plan. As part of this review, we are also responding to a request from Supervisor Katz's office to provide them with an overview of policy recommendations set out in the plan.

Budget Director Matthew Hymel has suggested expanding the scope of work of the consultants who will be doing the reorganization study to include an assessment of agency status on various sustainability measures. I am just completing a proposal for an expanded scope of work for this study.

Brownfields

I have begun working with Kofi Bonner and Terezia Nemeth of the Mayor's Office of Economic Development to craft a working relationship on brownfield development in the City. With Mr. Bonner's addition to the mayor's staff, it appears as if this initiative has a greatly enhanced chance to get off the ground. I will draft a proposal for sharing the organization of the city's brownfield initiative, and outline the resources that are expected to be needed.

EMPACT Project Proposal

A detailed proposal outline is in the works for the EMPACT program opportunity offered by the US EPA. It will be faxed mailed to commissioners in time for review before Tuesday's commission meeting.

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

DRAFT MINUTES
Regular Commission Meeting
May 12, 1998

1. **Call to Order and Roll Call.** The meeting was called to order by President Vietor at 6:07 p.m. Present were Commissioners Eng, Evans, Krefting, Richardson, and Russell. Commissioner Okamoto was absent.

2. **Approval of Minutes of April 14, 1998.** Unanimously approved upon motion by Commissioner Krefting.

3. **Consent Calendar –**
~~File No. FOC-002-98 Approve Preparation of Grant Proposal to U.S.~~ Referred to Committee.
File No. FOC-003-98 Guidelines for DE nv Drafting Legislation
File No. FOC-004-98 Policy Prohibiting Violence in the Workplace
~~File No. PPC-010-98 Commission Resolution Procedures~~ Referred to Committee.

REGULAR CALENDAR

4. **Chemical Exemption Requests –** None.

5. **Quarterly Report on Integrated Pest Management Program by David Frieders, Agricultural Commissioner** is attached to and made a part of these minutes. Mr. Frieders offered these observations. No Category I and no Category II chemicals are being used by any department of or contractor with the City and County of San Francisco. No requests for emergency exemptions from the posting requirements of the IPM law have been granted year to date. There is a vandalism problem with respect to signage that is under review. Eight departments out of a total of 83 so far have submitted IPM plans as required. On July 8, the Department of Agriculture will convene the second annual IPM conference for city departments primarily. The Agricultural Commissioner announced that the IPM website is up and running between 9 a.m. and 6 p.m. at Global Cities Online, http://www.globalcities.org/sfipm/index.html. The program has also established the Pesticide Usage Reporting Information System under contract with the Department of Telecommunications and Information Services (DTIS). This fulfills the reporting requirements of the IPM ordinance and the state Department of Pesticide Regulation.

   Mr. Frieders said "funding has become a real issue. A number of departments that have asked for IPM coordinators are not getting IPM coordinators." There are other budgetary reductions. For example, while the Department of Agriculture has been awarded a $75,000 grant from U.S. EPA for IPM outreach and education, the City has reduced the department's allocation of $85,000 for work-ordered money to $20,000 for work-ordered money for outreach and education.

   Members of the public expressed concern that advance warnings (perhaps two weeks ahead) of spraying be posted, and asked if there was any success with the barn owls in reducing the use of pellets in the parks. No data yet available.

6. **Communications**

   A. Correspondence President Vietor has sent letters to Supervisor Bierman and Claude Wilson, Executive Director of Southeast Alliance for Environmental Justice for their leadership in moving the City to study the feasibility of acquiring the Hunters Point and Potrero power plants from PG&E.

   B. Hearing: Sustainable Business – Commissioner Richardson

   Sheila Davis of the Materials for the Future Foundation screened a ten-minute video demonstrating the value and practice of deconstructing buildings and salvaging materials for subsequent recycling. Her organization is working with the Redevelopment Agency on a project in Hunters Point targeting 40 houses for deconstruction. **Lisa Geller**, who co-produced the video and also works on military base conversion projects, outlined

employment and training opportunities from deconstruction programs. Ms. Davis suggested a commission resolution encouraging deconstruction projects in the Hunters Point area and incorporating deconstruction processes in the proposed green building legislation now under peer review.

Torri Estrada, Coordinator of the Brownfields Community Leadership Project for the Urban Habitat Program presented a paper on brownfields as a strategy for sustainable community development. He emphasized that San Francisco must work on a regional level to establish a "sustainability compact" that would deter regional urban sprawl and urban disinvestment while encouraging sustainability projects in existing communities. The paper is attached to and made a part of these minutes.

Janet Jacobs, Director of Sustainable San Francisco, said her organization advocates for sustainable urban development in San Francisco and the Bay region and is using *The Sustainability Plan for the City of San Francisco* as a blueprint for fulfilling her group's mission. She presented a paper outlining recommended actions in the *Plan* that would encourage sustainable business practices. The paper is attached to and made a part of these minutes.

Steve Lippman, Project Associate with Business for Social Responsibility described BSR's Business and the Environment program. The program's goals include leveraging buying power toward more sustainable products, fostering dialogue, and offering revolving loan funds and technical assistance to encourage businesses, especially small businesses to embrace more sustainable practices. BSR's brochure is attached to and made a part of these minutes.

Elizabeth Tan, Environmental Justice Director of San Francisco League of Urban Gardeners, and **Lori Friedman** of the Urban Herbals crew presented samples of their new line of organic jams (strawberry, kiwi), herbal vinegars, organic salsa, and honey produced by local bees. Urban Herbals employs young people and involves them in community-based enterpenership, from the seedling to marketing. SLUG has programs employing low-income residents to create community gardens, restoring green spaces, lead-control landscaping services, and practicing organic and sustainable methods of gardening. Copies of SLUG's 15th anniversary newsletter are available at the Department of the Environment.

Paula Wagner, Regional Manager of the Environmental Careers Organization, said job opportunities and careers in the environmental field are growing phenomenally. Her group's paid internship program places talented college students and graduates in a cross section of environmental firms and agencies. More information is available on the internet, at http://www.eco.org.

7. **Finance & Operations Committee Report.** Chairperson Krefting reported that an annual report would be prepared for release in October.

8. **Planning & Policy Committee Report.** Chairperson Evans reported that dioxin and deconstruction would be discussed at the committee's next meeting on May 21.

9. **Public Outreach & Education Committee Report.** Chairperson Eng reported that the committee is on hiatus.

10. **Director's Report.** Director Magilavy informed the Commission that there is a less than 10% return rate on departmental IPM plans. President Vietor and Pesticide Watch Director Gregg Small will be meeting with Mayor Brown in June to discuss funding for the city-wide IPM program. The Department's recommendations on antimicrobials (presently exempted under the IPM Ordinance) will be presented to the Commission at the June meeting for consideration. The Commission must submit its recommendations to the Board of Supervisor by July 1, 1998.

11. **President's Report.** Continued to the next meeting.

12. **Other Business.** None.

13. **Public Comment.** None.

14. **Adjournment.** The meeting was adjourned at 8:18 p.m.

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE LEE ENG
REBECCA EVANS
PAUL OKAMOTO
LINDA RICHARDSON
CHRISTINE RUSSELL

NOTICE OF MEETING AND AGENDA

TUESDAY, JUNE 9, 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

REGULAR SESSION
6: 00 P.M.

COMMISSIONERS

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE L. ENG
REBECCA EVANS
PAUL C. OKAMOTO
LINDA RICHARDSON
CHRISTINE H. RUSSELL

BERYL MAGILAVY
DIRECTOR OF THE DEPARTMENT OF THE ENVIRONMENT

CHRISTOPHER CHOW
COMMISSION SECRETARY

RONA SANDLER
DEPUTY CITY ATTORNEY

1540 MARKET STREET, SUITE 160, SAN FRANCISCO, CALIFORNIA 94102
TELEPHONE: (415) 554-6390 FAX: 554-6393 HTTP://WWW.CI.SF.CA.US/ENVIRONMENT

ACCESSIBLE MEETING INFORMATION

Air Quality

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help t City accommodate these individuals. [Section 67.15 of the San Francisco Administrative Code, Sunshine Ordinance.]

Public Transportation

The closest BART station serving 401 Van Ness Avenue is the Civic Center station.

Accessibility of Meeting Location

The meeting room is accessible by wheelchair. The closest accessible BART station is Civic Cen four blocks from the Veterans Building. Accessible MUNI lines serving this location are the #42 Downtown Loop, #71 Haight/Noriega, the F-line to Market and Van Ness, and the MUNI Metro stations at Van Ness and Market and Civic Center. For more information about MUNI accessible services, please call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and th War Memorial complex.

Large print agendas, audio tapes of minutes, sound-enhancement equipment, and other services to the visually and hearing-impaired to attend the meeting are available by calling 554-6390.

Statement of Nondiscrimination

The Commission on the Environment does not discriminate on the basis of disability in employm or in the admission and access to its programs or activities.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINAN OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE LEE ENG
REBECCA EVANS

PAUL OKAMOTO
LINDA RICHARDSON
CHRISTINE RUSSELL

ORDER OF BUSINESS
Tuesday, June 9, 1998
6 p.m.
Room 207, 401 Van Ness Avenue, San Francisco

1.	**Call to Order and Roll Call**	
2.	**Approval of Minutes of May 12, 1998**	**ACTION**
3.	**Consent Calendar** File No. PPC-010-98 Commission Resolution Procedures	**ACTION**
	REGULAR CALENDAR	
4.	**Chemical Exemption Requests** - None	
5.	**Report & Recommendations on Antimicrobials and the IPM Ordinance** Department of the Environment	**ACTION**
6.	**Communications**	
	A. Correspondence	
	B. Update on Hunters Point & Potrero Power Plants Laurie Park, Hetch Hetchy Water & Power (PUC)	**INFORMATION**
7.	**Finance & Operations Committee Report**	**INFORMATION**
8.	**Planning & Policy Committee Report**	**INFORMATION**
9.	**Director's Report**	**INFORMATION**
10.	**President's Report**	**INFORMATION**
11.	**Other Business**	**INFORMATION**
12.	**Public Comment**	
13.	**Adjournment**	

1540 MARKET STREET, SUITE 160, SAN FRANCISCO, CALIFORNIA 94102
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File No. PPC-010-98 Commission Resolution Procedures
(As Amended by PPC, 5-21-98)

RESOLVED, issues may be brought to the attention of the Commission by one of the following steps:

1. By submission of an Issues Submittal Form, or a letter, to the secretary of the Commission;

2. By comment at any public meeting; or

3. By private communication to any commissioner; and

FURTHER RESOLVED, resolutions may be brought before the Commission by the following procedures:

1. Resolutions must have a sponsoring commissioner;

2. The sponsoring commissioner should submit the resolution to the president, through the secretary of the Commission;

3. The president will assign it to committee, or send it directly to the full Commission;

   a) Once assigned to committee, but before committee consideration, the commission secretary will make every effort to ensure that commissioners have objective information on which to base their decisions;

   b) To ensure that interested parties are apprised of the resolution's consideration in committee, the secretary will send a copy of the resolution and the agenda for the meeting at which it will be discussed to:

      i. The director of any city agency cited in or affected by the outcome of the resolution;

      ii. The mayor's office, if the resolution cites or would affect any of the offices of the mayor or his or her staff, or if, in the opinion of the president of the Commission, it is otherwise important that the mayor be informed;

      iii. Anyone who has asked to be informed on the issue;

iv. Organizations known to the department to be likely to have an interest in the issue;

4. A resolution will emerge from committee:

   a) If it has been passed by committee and forwarded to the Commission;

   b) If it has not been acted on by committee, but

      i. The committee chair forwards it to the Commission without recommendation, or

      ii. The president of the Commission removes it from committee and puts it before the Commission;

5. The president will place the resolution on the Commission's regular calendar, or on the consent calendar; the group mentioned in item 3(b) above shall be given notice of the agenda of the meeting at which the resolution is considered;

6. If a resolution other than one regarding administrative matters is passed by the Commission, the secretary shall forward a copy of the resolution to:

   a) The director of any agency affected by the resolution,

   b) The Clerk of the Board of Supervisors,

   c) Each member of the Board of Supervisors, and

   d) If directed to do so by the president, the Mayor;

7. If the resolution urges the Board of Supervisors to take action on a matter, discussions by commissioners and staff with individual supervisors regarding the Board's potential action should be coordinated through the president of the Commission;

AND FURTHER RESOLVED, that texts of adopted resolutions shall be forwarded to the Documents Department (Government Information Center) of the Main Library for official archiving and public posting. The resolutions will also be posted on the Commission's web page. Copies of the resolution may also be distributed to the news media.

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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File No. 014-98-COE June 9, 1998

[ANTIMICROBIAL AGENTS]

WHEREAS, Chapter 39 of the City of San Francisco Administrative Code directs the Commission on the Environment to make a recommendation to the Board of Supervisors on whether, and if so to what extent, the City should include antimicrobial agents in its Integrated Pest Management (IPM) policy; THEREFORE BE IT

RESOLVED, That the Commission on the Environment recommends that antimicrobial agents should be included in the City's IPM policy; and

RESOLVED FURTHER, That the Commission on the Environment recommends the following extent of inclusion:

a) That the definition of *antimicrobial agents* be: "products that are registered with the United States Environmental Protection Agency (US EPA) as pesticides used to kill microbes";

b) That antimicrobial uses granted blanket exemptions under Chapter 39 continue to be exempted;

c) That blanket exemptions be granted for antimicrobial use and for the treatment of water and facility heating, ventilation and air conditioning (HVAC) cooling water systems and public fountains;

d) That for its own operations the City ban as of July 1999 the use of antimicrobial cleaning products that are classified by the US EPA as Category I products, with exemptions allowed;

e) That the use of antimicrobial cleaning products that are classified by the US EPA as Category II products be limited as a matter of policy to sites designated as "high-risk" sites;

f) That criteria be set by the Purchaser to aid in the evaluation of remaining antimicrobial cleaning to balance the needs of cleaning, public health, and health of the environment; and

g) That the requirements of Chapter 39 for posting of intended use, record-keeping, monitoring, and the preparation of site-specific plans not apply to antimicrobial use.

RESOLVED FURTHER, that the Commission on the Environment urges the Board of Supervisors to establish and fund a program in the City Purchaser's office that can adequately compile information on which general antimicrobial products are used by different City departments, establish health and environmental criteria to be used in making purchasing decisions, collect data on various products, prepare a preferred list of safer alternative products, and develop a training program for all municipal custodial staff on less-toxic products.

DEPARTMENT OF THE ENVIRONMENT

CITY AND COUNTY OF SAN FRANCISCO

BERYL MAGILAVY, DIRECTOR

REPORT TO THE SAN FRANCISCO BOARD OF SUPERVISORS ON REDUCTION OF ANTIMICROBIAL PESTICIDES

INTRODUCTION

The purpose of this report is to provide recommendations on the regulation of antimicrobial products used by City departments. Presently, the Integrated Pest Management (IPM) ordinance (Administrative Code Chapter 39) only temporarily exempts antimicrobials, except for certain specific categories. Under Chapter 39, Sec. 8 (a) and (b), provisions were made to grant blanket exemptions to the pesticide bans for specific uses of antimicrobials to control pathogenic microorganisms in drinking water treatment plants, wastewater treatment facilities, public swimming pools, and for the protection of public health and safety in the provision of health care. All other antimicrobial products were exempted from the ordinance only until January 1, 1999. By July 1, 1998, the Commission on the Environment was directed to make a recommendation to the Board of Supervisors on whether, and if so to what extent, the City should include antimicrobial agents in its IPM Policy. This recommendation was to be accompanied by a report prepared by the Department of the Environment on the results of its inquiry into (1) the most appropriate definition of "antimicrobial agents" to be used in the IPM Policy and (2) the best approach to minimize antimicrobial use consistent with public health and safety.

The Department of the Environment has reviewed literature; consulted with custodial staff and an industrial hygienist; and consulted with representatives from the Bureau of Environmental Health of the Department of Public Health, San Francisco General Hospital, the Purchaser's Office, environmental organizations, and the Agricultural Commissioner in suggesting the most appropriate definition of "antimicrobial agents," preparing its recommendations on reducing the use of hazardous antimicrobial products, and establishing exclusion criteria for banning the most toxic products.

SUMMARY OF RECOMMENDATIONS

The most appropriate definition of *antimicrobial agents* is: Products that are registered with the US EPA as pesticides used to kill microbes.

The best approach to minimize antimicrobial use consistent with public health and safety is

1. Continue the existing exemption status applied to antimicrobial products used in the provision of health care, and in drinking water plants, wastewater treatment facilities and swimming pools. In addition, expand the exemption to include the treatment of water in facility heating, ventilation and air conditioning (HVAC) cooling water systems and public fountains.

2. For the remaining antimicrobials:

   a. Ban all use by City agencies of general-use antimicrobial products with active ingredients classified as Category I pesticides by the US Environmental Protection Agency (US EPA), allowing exemptions for specific high-risk cleaning situations, and

   b. Set minimized toxicity as a policy goal and create expertise in the Purchaser's office for ongoing evaluation of the remaining Category II and III products.

MOST APPROPRIATE DEFINITION OF *ANTIMICROBIAL AGENTS* AND SCOPE OF CHEMICALS ADDRESSED BY THE ORDINANCE

1. Definition: *Antimicrobial agents* means products that are registered with the US EPA as pesticides used to kill microbes.

   These products are used to destroy or suppress the growth of harmful microorganisms such as bacteria, fungi, and viruses on inanimate objects and surfaces. They are divided into three major classes: sterilants, disinfectants, and sanitizers. Sterilants are widely used in hospitals to destroy or eliminate all microbes on medical and surgical instruments. Disinfectants are further divided into two types: those used in hospitals and those for general use. Hospital-type disinfectants are used to destroy or inactivate infectious microbes on medical instruments, operating room walls, and restrooms. General disinfectants are used to kill germs on countertops, and in toilet bowls and garbage cans. Sanitizers are used to reduce, but not necessarily eliminate, microbes on dishes and cooking utensils. Products in all these categories, depending on concentration and formulation, can be classified as Category I, II, or III products by the US EPA.*

2. Antimicrobials are registered products. Any antimicrobial product that claims to kill microorganisms is required to be registered with the US EPA, and is considered to be a pesticide. Many commercial cleaners contain mixtures of complex and synthetic compounds. Some of these chemicals are highly toxic if swallowed, flammable, caustic (cause burns) or chemically reactive when accidentally mixed with other cleaning products. Furthermore, some disinfectants and sanitizers may contain added dyes, perfumes, fillers, aerosol propellants, and traces of ammonia and formaldehyde. These additives do not enhance germ-killing ability but instead are added for fragrance and market appeal.

Other Cleaning Products Which Are Not Antimicrobials

Recommendations in this report address only antimicrobials (pesticides). Products not addressed in this report include widely used janitorial products such as drain cleaners, rug and upholstery cleaners, spot removers, glass cleaners, floor wax, furniture polish, and air fresheners—they are not antimicrobials. They do not kill or suppress microbes, and therefore are not registered by the US EPA.

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* Category I products are the most toxic; they are marked *DANGER*. Category II products are next most toxic; they are marked *WARNING*. Category III products are the least toxic; they are marked *CAUTION*.

Antimicrobials Addressed in Two Categories Under the Ordinance

Chapter 39 address antimicrobial use reduction in two ways: those given blanket exemptions, and those for which more research was needed.

1. Blanket exemptions: Under Chapter 39, Section 39.8 (a) and (b), blanket exemptions to the pesticide bans were granted to three uses of antimicrobial products:

   a. Improving or maintaining water quality at drinking water treatment plants; wastewater treatment plants; reservoirs; and related collection, distribution and treatment facilities;

   b. Protecting public health and safety in the provision of health care; and

   c. The treatment of water in public swimming pools.

2. Other Antimicrobials: General disinfectants and sanitizers were temporarily exempted until 1999 pending further research. Examples of such products are *Lysol®* and *Pine Sol®*.

RECOMMENDATIONS FOR BEST APPROACH TO MINIMIZE ANTIMICROBIAL USE

1. **Exempt Water Treatment and Health Care**

   It is recommended that the Board retain the blanket exemptions set out in the ordinance and add exemptions for water systems for facility heating, ventilation and air conditioning (HVAC) and public fountains. Exemptions for these uses are necessary because:

   a. **Risk to public health:** Thousands of antimicrobials are used under carefully controlled conditions in the provision of health care. These chemicals are a necessary precaution against infection. In addition, antimicrobial agents are added in the water filtration process to eliminate several important water-borne parasites that cause the diseases *Giardiasis* and *Crytosporidiosis* in humans. They are also used in treating wastewater to kill *E.coli* bacteria and Hepatitis B and C viruses. These agents play a vital role in protecting public health by preventing the spread of blood-borne and other infectious diseases. Water treatment in HVAC systems prevents bacterial diseases such as *Legionella* (Legionnaire's disease).

   b. **No viable alternatives:** The antimicrobial products now in use in health care and water-treatment are designed to provide a high level of specific infection control. For example, high-pressure steam is used to sterilize instruments for surgical procedures, and antiseptic wipes are used to clean and decontaminate emergency rooms. A limited number of antimicrobial products are approved for such use, and unqualified and non-specific alternatives are unsuitable for this purpose. Eliminating germicidal treatment in HVAC systems requires building re-design.

   c. **Used in controlled environments:** Sterilants, disinfectants, and sanitizers are used under controlled environments in hospitals and clinics. There is limited public access to the laboratories and risk of public chemical exposure is minimal.

d. **Products specifically designated by governmental agencies:** Since these antimicrobials are linked closely to human health and the control of infectious diseases, any attempts to regulate these antimicrobial agents would need approval from State and federal agencies, including the Center for Disease Control.

2. **Use the Least-Toxic Antimicrobials Necessary for General Cleaning**

For the remaining antimicrobial use by city agencies, general cleaning, we make the following recommendations:

a. **Ban the use of US EPA Category I general disinfectants and sanitizers.** Although only a few products are in this category, there are no health risk factors or compelling reasons to retain these cleaning products when effective, less toxic products are available. As a matter of implementation, it is recommended that the ban commence in fiscal year 1999/2000, and that the Purchaser's office be directed to have ready a system to assist users of Category I products to switch to less-toxic products. Following is a discussion of the reasons for banning these products.

- **High risk of short-term and chronic toxicity:** Many Category I products contain toxic active ingredients that can cause harm to the user and the environment. These toxic ingredients include sodium hypochlorite (bleach), quaternary ammonium compounds (quats), alcohols, and phenolic compounds. Even in diluted concentration, these substances still pose certain acute and chronic hazards to users. Acute toxicity may include skin irritation, rashes, blurred visions, headaches, and vomiting. For example, corrosive acids in tile mildew removers and toilet bowl cleaners may cause severe burns when the user accidentally spills them on his or her skin or clothing. A more serious concern is chronic toxicity through long-term inhalation and absorption exposures that may lead to respiratory and nervous system effects, and skin and organ damage. On the environmental side, alcohol-based disinfectants have a very high VOC (volatile organic compound) content. VOC's are a component of smog.

- **Impossible to maintain a germ-free environment:** Practically no surface disinfectant treatments will completely eliminate bacteria and other microbes. Disinfectants kill germs on surfaces temporarily, but cannot kill germs in the air or provide long-lasting disinfection. A City custodian generally cleans and sanitizes public facilities once a day. The facility will stay clean only until the next person uses it, so with Category I cleaners, a high health risk results in cleaning benefit of limited value.

Exemptions: We recommend that the exemption procedure already in place for other banned pesticides in all toxicity categories be extended to these Category I antimicrobials.

b. **Limit Use of Category II Antimicrobials to High-Risk Sites.** In general, disinfection may be required only at unsanitized and high-risk cleaning sites. High-risk (unsanitary) areas are:

- Places where contamination of human or animal waste, blood or body fluids are present or reasonably anticipated to be present (building entryways where homeless people encamp, garbage compactors, etc.); and

- Unsanitary areas such as toilets, urinals, and the floor directly beneath the toilet or urinal in restrooms and food-preparation surfaces in kitchens or cafeterias.

Low-risk (sanitary) cleaning areas are defined as places where cleaning is sufficient to reduce the risk of any adverse health effects (such as sinks and floors within restroom and kitchen areas). At high-risk cleaning areas, stronger disinfectants (Category II) may be the only viable option available to provide adequate disinfection, whereas comparable general-purpose cleaners without disinfectants can be used to clean low-risk office restrooms. We recommend that facilities managers be directed to identify areas under their jurisdiction as high- or low-risk, and to reserve the use of Category II antimicrobials for high-risk sites.

c. **Reduce Hazards from Remaining Antimicrobial Products by Setting Policy and Empowering the City Purchaser**

- **Proposed Policy:** We recommend that the following policy be adopted by the Board: For general cleaning, as of the beginning of fiscal year 1999/2000, the City will purchase: a) products with the fewest harmful effects on human health and the environment, and b) products that are not formulated with added perfume, dyes, fillers, ammonia, formaldehyde, and aerosol propellants, or have reduced formulations of these additives.*

- **Purchaser Expertise:** We recommend that an administrative framework be established for necessary research to be done on individual products. Product evaluation is a complex, changing, and time-consuming task. To enable the City to discover, on an ongoing basis, the least toxic cleaning products that will meet its needs, we recommend that the Purchasing Department hire a person with an industrial hygiene background and the expertise to evaluate antimicrobial products. Among the duties of this position would be:

  1. Compilation of information on which general antimicrobial products are used by different City departments,

  2. Establishment of health and environmental criteria to be used in making purchasing decisions,

  3. Collection of data on various products,

  4. Preparation of a preferred list of safer alternative products, and

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* These additives only serve to make the products more appealing without enhancing the product's disinfectant effectiveness. In fact, these additives may pose additional hazards because perfumes may contribute to indoor air pollution, dyes may exacerbate chemical sensitivities, ammonia may react with bleach to form a toxic gas, formaldehyde is a suspected carcinogen, and some aerosol propellants contain ozone-depleting chemicals.

5. Development of a training program for all product users, such as custodial staff, on less-toxic products. Such training would provide the tools to understand and successfully implement this proposal, including the personal benefits to the users of less-toxic products; an understanding of what an anti-microbial product is, versus a cleaning product; what products are available; and a description of the hazard categories so that they can be readily identified.

3. **Record-keeping, Posting, Monitoring, and Site-Specific Plans:** We recommend that the other requirements of the IPM Ordinance: posting of intended use, record-keeping, monitoring, and the preparation of site-specific plans not apply to anti-microbial use. These requirements are more appropriate for pest management rather than cleaning, where users anticipate cleaning products will be regularly used.

CONCLUSION

In conclusion, the Department of the Environment recommends that the best approach to minimizing antimicrobial use, defined as use of products that are registered with the US EPA as pesticides used to kill microbes, is to retain the blanket exemptions already in the ordinance and add blanket exemptions for other water-treatment categories, ban the use of Category I antimicrobial products for cleaning (with an exemption process available), and to create an on-going program of evaluation of remaining cleaning products that will balance cleaning needs with attention to the health of the public and the environment.

Albert Hom
IPM Program Coordinator
June 5, 1998

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF AGRICULTURE
AND
WEIGHTS AND MEASURES

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David C. Frieders
Agricultural Commissioner
Director of Weights and Measures

Sid E. Baker
Assistant Agricultural Commissioner
Director of Weights and Measures

MEMORANDUM

TO: *Commission on the Environment*

FROM: *David C. Frieders, Agricultural Commissioner/Director of Weights and Measures*

DATE: *May 12, 1998*

SUBJECT: *IPM Quarterly Report*

The following is a summarization of the activities of the Agricultural Commissioners' Office relating to the implementation of San Francisco's Integrated Pest Management Plan.

OVERVIEW

The activities of the Agricultural Commissioner's office have been focused on assisting departments, and the City's work force implement IPM. To date, the following have been accomplished:

1. Chemical Reduction

- ***1/1/97 Category I eliminated (listed by EPA- most toxic; these are products marked "DANGER"),***
  -Cancer-or reproductive-toxicity chemicals (per State of California Safe Drinking Water and Toxic Enforcement Act of 1986), and
  -Possible, probable or definite human carcinogens (per EPA).
- ***1/1/98 Category II eliminated (listed by EPA-next most toxic; these are products marked "WARNING").***

- ***1996 Rec & Park Chemical Use is as follows:***

	1996	*Jan.- Aug. 1997*
REC & PARK	*4958 lbs.*	*1985 lbs.*

Department of Agriculture
501 Cesar Chavez, Suite 109-A
San Francisco, CA 94124
(415) 285-5010

Alemany Farmer's Market
100 Alemany Blvd.
San Francisco, CA 94110
(415) 647-9423

Weights and Measures
501 Cesar Chavez, Suite 109-A
San Francisco, CA 94124
(415) 285-5012

2. Assistance to City departments in implementation of City IPM policy:

- *Inform the Public:*

  -No emergency exemptions to posting requirements have needed to be granted by the Agricultural Commissioner

  -Public access numbers, for questions regarding pesticide use, have been set up, by City departments.

- *Set up internal systems for implementing IPM*

  -8 IPM plans have been submitted out of 83 departments required.

- *Monthly Technical Advisory Committee (TAC) formed.*

  TAC committee is to work through the issues posed by the implementation of the IPM plan. TAC stake holders are represented by the major departments and Industry representatives, IPM Coordinators, or IPM contacts from each of the 7 Departments, who are the major pesticide users, PUC, DPW, Muni, Airport, Port, Rec & Park, S.F. General, and Laguna Honda Hospital.

- *Sec. 39.7. Recordkeeping of Pesticide Applications.*

Accompanying this report is the "User Guide for the Pesticide Usage Reporting Information System". The computerized system fulfills all of the Ordinance requirements, as well as the monthly pesticide use report requirements, mandated by the state Dept. of Pesticide Regulation. ISD will demonstrate the completed pesticide recordkeeping program, where a manual, and disks for installation on deptartment computers will be distributed.

****** The IPM Website has been established, and is open between 9 a.m.- 6 p.m.**
The address is: http://www.globalcities.org/sfipm/index.html

3. Training

Approximately 450 employees have been trained. The goal is for every S.F. employee to have some level of awareness of the IPM program, and for every department to have an IPM Coordinator and/or Site Managers(s), depending on the situation.

- *Non-technical Training*

  The Agricultural Commissioner's office to date, has conducted 5 training sessions for 119 non-technical city employees (ie. dept. heads, clerical staff, office managers and their staff, janitorial and general maintenance personnel). Future training dates are May 19, June 2 & 16, July 7 & 21, 1998, from 9-11 a.m. at the Agriculture Commissioner's Office. It is anticipated that an additional 120 non-technical employees, will be trained through July.

- *Technical Training*

  Training for technical staff (ie. gardeners, structural pest control venders for city property) is on-going also. To date, approximately 330 technical employees have been trained.

- *Future Training Strategy-*

  On June 18, 1998 the Agricultural Commissioner's Office will sponsor The Principles of Nozzle Sprayer Calibration Workshop. On July 8, 1998, the Agricultural Commissioner's Office will sponsor the 2nd Annual IPM Conference. The Agricultural Commissioner's Office is working on a short-term and long-term training strategy, which will include "Train-the Trainer" materials.

4. Outreach and Education

The Agricultural Commissioner's Office will continue to conduct education and outreach at the local and national level.

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Resources for Community Development Enterprises in Recycling & Reuse

Vol. 4, Issue No. 1 Spring 1998

QUARTERLY NEWSLETTER FROM THE MATERIALS FOR THE FUTURE FOUNDATION

THE STAFF COLUMN

New Life for Old Wood

by Lisa Geller, Base Conversion Coordinator

According to the National Association of Home Builders, approximately 245,000 residential and 45,000 non-residential units are demolished every year, creating approximately 74 million tons of debris. Deconstruction (sometimes called "hand-wrecking") is an alternative method of building removal that captures the reusable materials in this waste stream and diverts them to reuse or remanufacturing activities. Careful dismantling preserves the maximum amount of value in the salvaged building materials. MFF is currently working on several initiatives to encourage deconstruction.

There are a number of benefits to deconstruction. Deconstruction reduces demolition waste, a significant portion of the municipal waste stream. Diverted materials can replace new materials, thereby reducing raw material use. In the case of wood, conservation of new wood preserves forests and contributes to greenhouse gas stabilization.

Deconstruction also has economic development benefits. It is a more labor-intensive process than demolition and is not as reliant on heavy equipment, making deconstruction a good candidate for small businesses or job development programs. Deconstruction can also help add value to the local economy when salvaged materials are used in local remanufacturing enterprises.

Another opportunity presented by deconstruction is its value as a training situation for work-readiness and basic construction skills. Since deconstruction is essentially "reverse carpentry," it exposes trainees to many of the tools and skills used in building trades. Youth Employment Partnership's deconstruction project was profiled in the Winter 1996/97 *Resources*.

Although deconstruction is beginning to

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East Bay Habitat for Humanity To Explore Reusing Building Materials in the East Bay

With funding and technical assistance provided by MFF, East Bay Habitat for Humanity is set to explore the creation of a "Restore," an East Bay enterprise focused on selling used building and household materials. MFF awarded the organization an Enterprise Development grant in early April. Habitat will analyze the feasibility of locating a building materials reuse facility in the East Bay.

Habitat for Humanity, dedicated to "thinking globally, building locally," helps provide affordable housing and home improvements through partnerships with homeowners and communities.

Through the start-up of the Restore, East Bay Habitat hopes to divert building materials from the waste stream and involve the community in recycling/reuse programs. The Restore plans to serve the community through the provision of affordable building resources, the creation of job opportunities and broader educational programs and partnerships.

There are currently over 40 Restores across North America that are providing environmentally sustainable solutions to the lack of affordable housing. East Bay Habitat hopes to use these examples to enhance the communities they serve by providing locally available and affordable housing. ■

Enterprise Development Grants

- Funding for feasibility studies and business planning for starting a recycling/remanufacturing enterprise, offered to non-profit organizations in the Bay Area/Northern CA
- Deadline for application is June 4, 1998. Pre-application workshops to be held May 12 and 13. Call MFF for more information

MFF Partnership Will Link Recycling-Based Businesses with Financing

Businesses in the recovered materials field often have difficulty accessing traditional forms of business financing. Recognizing the need for innovative approaches to link recycling companies and investors, MFF established a partnership with the US EPA and the California Integrated Waste Management Board (CIWMB) to host a series of Recycling Investment Forums for entrepreneurial source reduction, recycling, composting and reuse companies. The Recycling Investment Forums will bring a range of investors and financial institutions together with promising recycling-based enterprises in need of additional capital. Several successful forums have already been held in other parts of the country. In the next two years MFF will host four southwestern US.

The forums will link investors and entrepreneurs to promote new business start-up and expansion. Businesses seeking financing will be screened and selected by MFF. Each selected business will present information to an audience of investors on what their business is and what capital needs they have. Investors will be invited from across the country based on their previous support of environmental issues and other criteria.

MFF, the US EPA and the CIWMB hope to create an open market for investing in entrepreneurial recycling and waste reduction activities through the Recycling Investment Forums. Further information on the forums will be in future MFF publications and on our website at www.materials4future.org.

Resources is a quarterly newsletter of the Materials for the Future Foundation (MFF), a nonprofit organization that supports community-based reuse and recycling enterprises in the San Francisco Bay Area and Northern California, while promoting community economic development within the recovered materials industry.

■

Please contact us to share your thoughts, and to find out more about our services, publications, and resources.

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Teddy Bears Divert Textile Waste

Faced with the choice of buying her brand-new niece a teddy bear manufactured overseas, likely by underpaid labor, Jennifer Teal opted instead to make her own. Coupling her desire to develop a fun, unique, environmentally conscious and handmade toy with her sewing skills, she designed the Re-Lovables teddy bear. Teal realized that other people must also be looking for high-quality locally-made bears, so she launched a business in 1997. Re-Lovables is now a successful San Francisco-based company making adorable teddy bears from pre-consumer textile waste. MFF visited the Re-Lovables factory to profile this successful recycling-based enterprise.

Textiles comprise approximately 4.5% of the municipal solid waste stream. Much of that waste is scrap generated in the process of manufacturing new garments. San Francisco is one of the largest clothing manufacturing centers in the United States. Re-Lovables arranges to have several S.F. garment manufacturers save their scrap pieces and cut the pieces into squares. Approximately 5,000 yards of fabric are used each month to make teddy bears and do-it-yourself kits (fabric and pattern to make your own bears) — each bear utilizes over 2 yards of recovered fabric. Teal hires women in the Sunset district neighborhood to cut the pieces according to her pattern and sew them together. The teddy bears are double-stitched in a traditional American patchwork style; each one is expressively different.

Teal learned the logistics of starting a business by spending many hours in the library, researching the regulations and legal issues associated with business start-up. She credits her desire to continually learn and her willingness to take risks as cornerstones of the business. She originally made the teddy bears from her home but, as orders increased, she realized she needed a larger space. Now housed in the Sunset District, the Re-Lovables factory is a retail outlet, office and manufacturing space.

Re-Lovables teddy bears

Teal emphasizes that the small-scale manufacturer should not try to develop too many products — "You have to focus, pick something and get the manufacturing process tight and get all the steps down." She also encourages start-up enterprises to think creatively, have faith that things will work and establish a retail or factory space, which lends credibility.

The unique bears and do-it-yourself kits are sold in local Bay Area stores like Earthsake and the Green World Mercantile and at other retail stores in Northern California. Teal also frequents trade shows and craft fairs and has an internet site. Re-Lovables has donated teddy bears to women's and children's charities in attempts to bring the bears to those who need them most.

The Re-Lovables motto "Sensible Products for Our Planet's Future" is demonstrated through their commitment to the environment and to the community. Jennifer Teal says "People always remember their first teddy bear. I want them to feel good knowing that their bear was lovingly constructed right here in the USA, with individual attention given to quality and workmanship." Each bear contains a lot of love and a little piece of our solid waste stream — certainly a successful combination.

Visit the Re-Lovables teddy bears at 2636 Judah St. in San Francisco, at the stores listed in the article at www.relovables.com or call Jennifer (415)664-4102

MFF gives thanks for generous support in 1998 from

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w Facility Will Bring Crumb Rubber to the Bay Area

California generated 30 million scrap tires in 1995. Sixty percent of these were diverted from disposal, but over half of those diverted were burned. Bay Area Tire Recycling LLC hopes to help change these statistics when it ens a new tire recycling facility at the Davis Street Station for aterial Recycling and Transfer (SMaRT) in early May. The npany will provide locally generated crumb rubber—currently y available in Southern California or out of state.

Currently crumb rubber is used mainly for asphalt, building terials and playground surfacing. Crumb rubber can be used to ke other diverse products, many of which can be made by hand, h little infrastructure and simple equipment. The locally available mb rubber will provide small businesses with the opportunity to nerate products made of crumb rubber such as rubber mats, playground materials and floor backings.

MFF and Bay Area Tire Recycling hope to work closely with interested entrepreneurs to utilize this rubber resource. Small-scale manufacturers and non-profit organizations interested in starting an enterprise to provide job training to clients and generate additional revenue for services can start a successful enterprise with crumb rubber.

The facility at Davis Street will also separate the steel and fibers from the rubber, which can be recycled and used as feedstock for other materials. The new facility will open on May 1st at the Davis Street SMaRT in San Leandro. For more information on crumb rubber business opportunities, contact MFF at (415)561-6530. ■

lectronic Recycling in the rban Environment

The electronics recycling pilot program (see Winter 1997/98 *Resources* for more information) is continuing to collect data about electronics disposal in the S.F. Bay Area. MFF sorted, counted and weighed the electronic items g disposed from the F. Goodwill for three ys in March. We found erything from hair dryers sandwich bag sealers stined for the landfill or scrap metal yard. On arch 28, the City of ayward hosted the esident Recyclables rop-Off day. Electronic ems were gathered by URA, a residential emical dependency treatent program in Fremont.

Workers from CURA collect electronic items from Hayward's Drop-Off Day.

large number of televisions were collected from the Hayward rop-Off day. TVs pose a recycling challenge because the light be inside the screen can explode(creating a health hazard) and is ot easily recycled. Electronic items are also being collected from e S.F. Super Recycling Curbside collection days, the San Francisco ublic Disposal Site and the Oakland Bulky Waste Collection days. URA, the Marin Computer Resource Center and the East Bay onservation Corps will dismantle the electronic items and sort t materials that can be further recycled (such as metals and some stics). MBA Polymers, a plastics recycling facility in Richmond, working with the Pilot Project to determine what plastic types an be recycled and what electronic products have recyclable plastic omponents.

The pilot project will also collect data on weight of materials, mount of material which is unrecyclable and the labor required to

continued on page 4

THE STAFF COLUMN

continued from page 1

gain attention, there are still many obstacles to the widespread use of deconstruction. One of the most significant obstacles is the quick turnaround required on most demolition contracts. Deconstruction requires more time than the "smash and dash" approach common in the demolition industry. Another obstacle is the perception that because deconstruction yields valuable materials, it will be significantly cheaper than demolition. However, since hand-wrecking is so much more labor-intensive, the revenue from the reclaimed materials often only offsets the increased labor costs. Often the best strategy is to use a combination of deconstruction and traditional bulk demolition techniques, selectively removing the materials that can support the increased costs and demolishing the remainder of the structure. The trick is to keep pushing the envelope of what can be reclaimed, in order to try to salvage the maximum amount of materials..

One way MFF is encouraging deconstruction is through our Environmental Protection Agency grant program. Non-profit organizations interested in using deconstruction as a job training, job creation or enterprise opportunity are welcome to request a copy of the grant guidelines from Lisa Geller at (415)561-6521. In addition, anyone interested in further materials or information on deconstruction can contact Lisa at the above number.

As deconstruction becomes more familiar to a wider audience, it will present an opportunity for a broad coalition of interested parties to cooperate. Deconstruction can contribute to the goals of waste reduction and recycling advocates, people interested in resource conservation, 'greenbuilding' practitioners and job training and economic development proponents. Working together to promote deconstruction, we can harvest the resources of the "urban forest," creating jobs and opportunities while contributing to the protection of the environment. ■

NEW

Materials for the Future recently published "Marketing Recycled and Remanufactured Products to Mail Order Catalogs." The issue paper details the procedure for placing products in catalogs, lists some catalog contacts and offers suggestions for developing an environmental product.

Materials for the Future and the Center for Economic Conversion have launched a new email service to notify architects and builders about salvaged wood that is available for purchase. To subscribe, send an email message to WoodRevival-request@lists.best.com. In the body of the message type only the word 'subscribe.' If you would like more information, please query Maria Sanders at marias@igc.org.

Take Note...

- The deadline for MFF's Enterprise Development grant application is June 4, 1998. We are offering workshops to assist in grant proposal preparation on May 12 in San Jose at the Non-profit Development Center and on May 13 in San Francisco at the Presidio. Call Leana, Dawn or MarKawShuWa at (415)561-6530 for more information.
- MFF accepts letters of inquiry for the RECLAIM grants program on an ongoing basis. Contact Jessica Cezniak at (415)561-6530 for more information.
- MFF is creating a database of consultants to recommend to our grantees. Consultants should have knowledge of the recycling industry, as well as experience conducting feasibility studies and writing business plans. Interested consultants should call Leana Schelvan at (415)561-6530, or send information directly to MFF.

Electronic Recycling

continued from page 3

recycle electronic items. The information will provide a comprehensive overview of what items are able to be recycled and the best method for collecting, sorting and dismantling the electronics. As more data is compiled, participants will create a Top 10 list of the worst and best products to recycle in the Bay Area, based on criteria such as: how easily can the product be dismantled; what materials can be recovered from the item and can the material can be recycled profitably in the Bay Area; what items have planned obsolescence—parts designed to break easily or which cannot be repaired; etc. MFF plans to release the electronic recycling data in late summer. This project is sponsored by the Alameda County Waste Management Authority & Recycling Board and the City & County of San Francisco Recycling Program.

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Resources for Community Development Enterprises in Recycling & Reuse
Vol. 4, Issue No. 1 Spring 1998
A QUARTERLY NEWSLETTER FROM THE MATERIALS FOR THE FUTURE FOUNDATION

Sustainable Communities and Businesses in San Francisco

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Presented to
San Francisco Commission on the Environment

Presented by
Torri Estrada, Urban Habitat Program

Introduction

My name is Torri Estrada and I am the Coordinator of the Brownfields Community Leadership Project. I wanted to thank the Commission for inviting the Urban Habitat Program to make a presentation about its work and connection to sustainable communities and business in San Francisco.

At the end of almost a decade of working on urban multicultural environmental leadership in the San Francisco Bay Area, UHP is now focusing its energy on issues of suburban sprawl, inner city disinvestment, and the disproportionate impacts of these phenomena on low-income communities of color. At the metropolitan scale - through actions, networking, conferences, publications, teaching, and advocacy - UHP has assisted over a hundred organizations working on environmental justice issues: these include environmental health, food security, recycling, energy, military base conversion, arts and culture, education, immigration and population, parks and open space.

UHP has projects and staff with expertise in transportation and land use planning, community economic development, environmental justice, multicultural environmental education and leadership development, and community participation. The Brownfields Community Leadership Project is an effort to build community-based environmental leadership to advocate and respond to urban revitalization through brownfields redevelopment projects and policies in the Bay Area. UHP provides technical assistance and leadership development through community workshops, one-to-one consultations, and convening the Bay Area Regional Brownfields Working Group. The Working Group is a regional body comprised of non-profits, local residents, government agencies, foundations, academics, and community development organizations dedicated to developing a community-driven brownfields redevelopment agenda.

Overview

I will cover the following five points:

- Regional nature of sustainability and justice
- Defining sustainability for San Francisco
- Brownfields as a strategy for sustainable community development
- UHP's brownfields and sustainability work in Bayview-Hunters Point
- Observations and recommendations

Regional Nature of Sustainability and Justice

- **The global economy affects the region's economic prosperity and ability to achieve sustainability (e.g. loss of manufacturing jobs in 1980's had drastic effects on employment, tax base, and inner-city health)**

- **People, resources, benefits and impacts of development and growth, and natural processes do not conform to municipal boundaries (e.g. Water quality impacts that originate in the Delta adversely impact environmental and health in the Bay Area; the boom of Silicon Valley has had effects on worker travel, housing and land prices, and economic equity)**

- **Regional growth and land use impact the suburban fringe, inner suburbs , and central cities (e.g. sprawl and transportation investments since the 1960's have contributed to the destruction of productive farmland and open space on the urban-rural fringe and the deterioration of central cities and inner suburbs in the Bay Area)**

- **Several studies have now documented the interconnectedness of central cities and the suburbs. William Barnes and the National League of Cities have shown a strong relationship between the median household income between central cities and suburbs (they tend to move up and down together). A report conducted by Savitch et. al. indicates that regions "with a greater capacity to harness common resources and unite populations do better than more fragmented and inequitable areas." Several economists believe that metropolitan regions are becoming the basic units of global competition; they have recommended that municipalities share and coordinate the use of scarce resources as a means of competing effectively with other strong metropolitan regions and national economies.**

- **The bottom-line is that any efforts to achieve sustainability and justice in San Francisco are linked to actions of other municipal, county, and regional bodies.**

Defining Sustainability for San Francisco

" A sustainable society meets the needs of the present without sacrificing the ability of future generations to meet their own needs" (Sustainable SF). This definition inherently contemplates the balancing of the three E's - environment, equity, and economy.

- In San Francisco, several low-income communities of color have asked several important questions related to this definition of sustainability. These questions should be answered by anyone trying to promote sustainability, including businesses.

1. What are today's needs?
2. Whose needs are being addressed?
3. Who decides what these needs are?
4. Whose future generations are being included?

- If one were to measure the quality of the three E's in San Francisco, several communities of color would rank fairly low in comparison to other communities. These communities include Bayview-Hunters Point, Chinatown, Mission District, SOMA, Tenderloin, Fillmore/Hayes Valley, and Visitacion Valley.

- There are at least two implications to be drawn from this: 1) the present needs of these communities are not being met because they are not being recognized and addressed by those who define the needs; and 2) these communities should receive priority attention to achieve city-wide sustainability.

Brownfields and Community Development

- If one were to take an asset-focused approach to community development, one would quickly realize that these historically impoverished communities have many assets,

including residents with a diversity of skills, strengths, and backgrounds; strong and effective community institutions and infrastructure; and, the potential for community development.

- One vehicle for community development is brownfields. By capitalizing community assets, strengths, and its residents, brownfields redevelopment provides a community development tool where the environment can be improved through restoration, rebuilding, and reuses that are compatible with environmental and health protection; the economy can be stimulated through the influx of state and federal revitalization funds and the reuse of tax-delinquent and underutilized property; and, equity can be achieved through the increase of local economic opportunity, empowerment through planning and education, and enhanced quality of life.

- However, in our work in the Bay Area and Bayview-Hunters Point, specifically, there are several challenges to making brownfields truly sustainable. They include:

1. Sufficient investment in community building (including the process, institutions, and existing/emerging assets) and partnerships;
2. Gentrification and economic justice (affordable housing and services, job training and employment, etc.);
3. Public health and safety (clean-up and institutional controls);
4. Financing mechanisms; and,
5. Environmental justice (land use and scale of clean-up).

Community Visions for Sustainability in Bayview-Hunters Point

- UHP has been working in Bayview-Hunters Point on brownfields and environmental health. In January, UHP conducted an Environmental Justice Workshop on Brownfields and Environmental Health with the Southeast Alliance for EJ, the Environmental Health Taskforce, and members of the Brownfields Advisory Board and Planning Area Committee. After providing the basics of brownfields redevelopment (including an overview of the City of San Francisco's Brownfields Pilot Project) and links to community development (including on-going redevelopment planning), we facilitated two break-out sessions with local residents and community-based organizations. I want to give you a short list of the business-related ideas that emerged around the questions of sustainability of Bayview-Hunters Point in the Year 2018.

- There is a critical need for food and grocery stores, primarily those that provide easy access to quality foods such as organics.

- Many local residents and entrepreneurs strongly supported locally-owned businesses and the creation of clean, safe, and decent paying local jobs. Existing business owners would like more financial and environmental support services, especially small businesses.

- There was consensus that there be no junk yards and toxic facilities in their neighborhoods; reduction of heavy industry was desired.

- Residents wanted to have businesses that supported community personality and characteristics as well as incorporating reduce, reuse, recycling, and industrial ecology.

- Community wanted affordable and accessible transit as well as a number of community amenities such as a cultural center, retail stores, health services,

parks and open space, affordable housing, senior housing near transit and services, 24-hour youth services, and more schools.

- Access to decision-making concerning their communities.

- Barriers to realization of a sustainable community included race/racism, access to private and public sector institutions (including local government agencies), technology, and information about their communities; and, job training and employment opportunities.

Recommendations

1. Support community leadership and planning efforts at the neighborhood level (Enable the development of vision and taking stock of assets and opportunities)

2. Promote community partnership-building, health and environmental enhancement, and linkages between land use, transportation, and economic development planning
(Build the technical and communication capacity of community development stakeholders needed to integrate three E's into civic life and to overcome barriers to brownfields redevelopment)

3. Promote the balance of business ownership and diversity (e.g. for-profit and non-profit; corporate, worker, and local ownership; etc.)

4. Provide skills and capacity to incubate local sustainable businesses with production activities and scale compatible with communities

5. Develop and support multistakeholder processes and projects that bring together the private sector (e.g. finance, business, and developers), public sector, non-profit groups, and community-based leaders and organizations

6. Take advantage of current and emerging economic development strategies such as eco-industrial parks, urban agriculture, brownfields redevelopment, base closure and conversion, materials recycling and reuse, and environmental technologies

7. Become involved in shaping regional sustainability efforts to enable local benefits (e.g. Bay Area Alliance for Sustainable Development, Association of Bay Area Governments, Brownfields Working Group, and California Futures Network)

Guiding Principles for Sustainabile Businesses

- Use renewables no faster than they can be renewed
- Use non-renewables resources with the intent of using a renewable substitute
- Always invest in people
- Seeks ways to strengthen the economy without increasing throughput
- Focus on getting better, not bigger
- Seek development that increases diversity and self-reliance
- Put waste to work
- Regard quality of life as an essential asset
- Consider the effects of today's decision on future generations
- Consider the off-site effects of decisions
- Consider cumulative effects of a series of decisions

Urban Habitat Program A Project of the Tides Center

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Torri Estrada is the Coordinator of the Brownfields Leadership and Community Revitalization Project at the Urban Habitat Program (UHP). The Brownfields Leadership Project is an effort to build community-based environmental leadership to advocate and respond to urban revitalization through brownfields redevelopment projects and policy in the San Francisco Bay Area. Torri provides technical assistance and leadership development through community workshops, one-on-one consultations, and convening the Bay Area Regional Brownfields Working Group. The Working Group is a regional body comprised of non-profits, local residents, government agencies, foundations, academic researchers, and community development organizations dedicated to developing a community-driven brownfields redevelopment agenda.

Torri's previous work experience includes renewable energy and environmental planning on Indian reservations, social and environmental justice research and advocacy for low-income and subsistence-based communities, and ecological research and policy analysis on forest, water, and land management. Torri received a B.S. in Environmental Science, Policy, and Management and a B.A. in Ecological Anthropology from U.C. Berkeley. Torri is currently completing an MS degree in Environmental Sociology at the University of Michigan where he is researching issues of environmental justice in natural resource management, ecological restoration, and urban planning. Torri is currently writing a chapter on environmental justice and the ecological restoration of brownfields to be published by the University of Michigan and Island Press.

Urban Habitat Program

At the end of almost a decade of working on urban multicultural environmental leadership in the San Francisco Bay Area, UHP is now focusing its energy on issues of suburban sprawl, inner city disinvestment, and the disproportionate impacts (including brownfields) of these phenomena on low-income communities of color in the Flatlands. Under the direction of Carl Anthony, UHP has played a leadership role in broadening environmental justice's national agenda. At the metropolitan regional scale - through actions, networking, conferences, publications, teaching, and advocacy - UHP has assisted over a hundred organizations working on environmental justice issues: environmental health, food security, recycling, energy, military base conversion, arts and culture, education, immigration and population, parks and open space. UHP brings the vision of environmental justice to struggles for community development, human and civil rights, and ecological sustainability to create a multicultural majority that can provide leadership to resolve the social, economic, and ecological challenges facing Bay Area communities. UHP has projects and staff with expertise in transportation and land use planning, community economic development, environmental justice, multicultural environmental education and leadership development, and community participation and facilitation.

Developing Multicultural Urban Environmental Leadership
Creating Socially Just and Ecologically Sustainable Communities
In the San Francisco Bay Area

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Sustainable San Francisco advocates for sustainable urban development in San Francisco and its surrounding region. *The Sustainability Plan for the City of San Francisco* provides a blueprint for moving toward our mission; a great deal of our work involves advocating for implementation of the plan.

Much has been written about sustainable business practices. The discussion includes manufacturing processes, management policies, office housing and operation. Many individual businesses have taken steps to improve their practices in order to lessen their impact on the environment. *The Sustainability Plan for the City of San Francisco* offers dozens of actions encouraging sustainable business practices. Attached is a list of those actions from the plan.

In general, Sustainable San Francisco encourages businesses to examine their practices to achieve the following goals:

- To use the least amount of energy, and the cleanest source of energy.
- To eliminate waste, with emphasis on source reduction and re-use, and recycling all waste materials.
- To eliminate the use of hazardous materials, and eliminate the creation of hazardous wastes.
- To use local resources and employ local residents.
- To encourage efficient transportation, both for people and products.
- To incorporate green building design standards in housing office and manufacturing operations.

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ACTIONS IN THE SUSTAINABILITY PLAN FOR THE CITY OF SAN FRANCISCO THAT WILL PROMOTE GREEN BUSINESS PRACTICES

Air Quality

1-b.	Increase the use of clean-fueled vehicles. *(Suggested for the private sector and city government)*

Energy, Climate Change, and Ozone Depletion

1-h.	Facilitate small-business access to loan and rebate programs for energy-efficiency services. *(Suggested for city government)*
1-i.	Lobby for state tax laws to discourage waste and encourage efficiency, such as a revenue-neutral carbon tax.
1-ee.	Promote sustainable energy practices in hotels, restaurants, and other businesses, such as via the Green Hotels Association.
1-ff.	Highlight, in promotions to tourists, businesses which practice energy sustainability.
1-gg.	Encourage building construction that utilizes passive solar technology.
2-k.	Reduce the use of non-recyclable batteries and encourage the use of rechargeable batteries, where needed.
3-b.	Establish a refrigerant conversion program for refrigerators, chillers, air conditioning systems.
4-f.	Train and employ local youth in minor home repair, weatherization and commercial efficiency programs. *(Suggested for organizers of programs in every neighborhood)*
4-g.	Convene an energy and economic development conference among neighborhood associations and local business groups. *(Suggested for city government)*
4-h.	Convene meetings with community development corporations and neighborhood organizations to discuss: • Energy efficiency programs, • Opportunities for combining customers into bulk-purchase groups, and • Choosing "green" energy sources. *(Suggested for city government)*

Food and Agriculture

1-D-1-a.	Provide additional support (staff and transportation) to organizations that pick up and distribute excess food.
1-D-1-b.	Educate and assist food-related establishments in donating food.
3-A-1-c.	Create paratransit systems for shopping by using: • Idle commuter vans; • Vans owned by social service agencies; and • Supermarket-funded paratransit and shopper shuttles.
3-B-1-b.	Explore mini-food markets in certain districts of the city; develop various market models of providing food.
3-C-1-a.	Create a system for distribution of wholesale nutritious, affordable and safe food to corner stores which provides financing for inventory, capital items and technical assistance.
3-E-1-a.	Secure community development funds for consumer food co-op development.
4-B-1-d.	Provide restaurants with information to promote the use of regionally grown, organic food. *(Suggested for food marketers)*
4-C-1-a.	Establish a CSA San Francisco (modeled after CSA West) to help establish links between Community Supported Agriculture farms and San Francisco residents.
5-G-1-c.	Donate vacant land to non-profit organizations for gardening projects. *(Suggested for corporations)*
6-A-1-a.	Establish an infrastructure that allows and encourages all residential, commercial and public organic residual producers to recycle their residuals.
6-A-1-c.	Enact and enforce building code regulations that require food recycling facilities in all San Francisco food-related establishments.
6-B-1-c.	Develop and implement economic and/or tax incentives for the commercial and residential sectors which recycle food residue and/or use compost and other organic amendments.
6-B-1-e.	Establish a tax incentive for businesses that reduce their waste generation by 50%.

Hazardous Materials

a.	Create financial incentives for businesses and city departments to reduce their use and storage of hazardous materials and their generation of hazardous waste.
b.	Establish the following programs to manage and dispose of hazardous waste generated by residents and small businesses: • Curbside collection of oil, paint and batteries. • Satellite collection points. • Mobile collection service. • Additional "one day" collection events.

azardous Materials...*continued*

	Require every retail outlet for hazardous materials in San Francisco to actively provide public information about non-toxic alternatives and proper disposal of hazardous products.
9)	Encourage retailers to stock non-toxic alternatives to hazardous products.
	Require retailers and suppliers of appropriate hazardous materials to report annual sales of those materials within San Francisco in order to determine the effectiveness of hazardous material-reduction efforts.
	Develop an outreach program on alternatives to the use of hazardous materials in homes and businesses. The program should include documents in non-technical language, appropriately translated, or use symbols. Work with organizations that already provide education to target groups. Target the program to: • Neighborhood associations, • Student-body councils, • Merchant associations, and • San Francisco neighborhood emergency response team participants.

uman Health

h.	Expand coverage of alternative medical options. *(Suggested for providers of employee health insurance programs)*
n.	Find solutions to the illegal placement of garbage containers. *(Suggested for businesses and enforcement agencies)*
o.	Store garbage and dispose of food waste properly to reduce the number of rodents in sewers. *(Suggested for businesses)*
k.	Enact local ordinances that restrict gun sales and transfer related revenue to public health purposes.

arks, Open Spaces, and Streetscapes

C-j.	Enforce city regulations requiring green spaces in all business projects
D-c.	Encourage local nurseries to provide and promote wildlife-supporting, drought-tolerant and San Francisco-native plants.
c.	Develop public-private agreements to improve San Francisco's unique and historical parks, open spaces, and street trees.
g.	Require that a movie fee be paid to the Recreation and Park Department Fund from any movies shooting scenes of or in city parks, squares, and maintained open spaces.

)

id Waste

-c.	Expand "shop environmentally" programs to increase consumer awareness about resource-efficient products and packaging.
-d.	Develop waste reduction training and education programs for businesses.
-h.	Educate designers, architects, and contractors about resource-efficient design and building for reuse and recyclability.
-a.	Increase and publicize incentives to encourage commercial participation in recycling and waste-reduction programs.
-b.	Create a refuse rate structure that encourages commercial recycling and waste reduction.
-c.	Coordinate promotional and outreach messages and technical assistance to businesses. *(Action for city agencies and local business organizations such as the Bay Area Council's Environmental Committee and the Recycled Paper Coalition)*
-d.	Gather and publicize success stories on how much money local businesses and institutions have saved by systematically implementing recycling and waste-reduction programs.
-e.	Promote San Francisco as a business-friendly community by: • Promoting the City's Recycling Market Development Zone, • Issuing business recycling awards, • Gathering data and case-study information on local success stories, • Working closely with local business organizations, and • Offering free technical assistance, such as audits of businesses' waste streams.
-f.	Encourage suppliers to ship goods in returnable packaging. *(Action for businesses and institutions)*
-g.	Organize a summit between manufacturers, recyclers, and materials suppliers to discuss ways to incorporate "design for recycling" into product development.
-h.	Update **The Bay Area Green Pages** and promote environmentally friendly businesses.
-i.	Increase use of diaper services at institutional settings (such as hospitals and clinics).
-j.	Require newspaper and magazine distributors with public boxes to recycle over-issue publications.
).	Develop an educational program focused on fast-food packaging alternatives.
-l.	Develop procurement policies that require minimal packaging, and reusable and returnable packaging. *(Suggested for businesses)*

Solid Waste...*continued*

C-m.	Develop green purchasing criteria and distribute it to businesses and institutions. (*Suggested for city government*)
F-1-c.	Allow small businesses to participate in the residential curbside recycling collection program.
F-1-f.	Provide incentives and/or subsidies for collection and processing of low-value recyclable and/or reusable materials when viable markets for these materials exist.
F-2-c.	Provide the City's Refuse Rate Board with the authority to regulate commercial refuse collection rates (since there is a *de facto* exclusive commercial refuse collection franchise).
F-2-f.	Require businesses and institutions that generate a substantial weekly volume of waste to perform a solid waste audit, consistent with ISO 14000 standards. Make renewal of business licenses contingent on performance of such an audit and development of a plan to reduce waste. (ISO 14000 standards are voluntary international standards devised by the International Standards Organization [Geneva, Switzerland] that establish environmental management system methodologies and a review process.)
F-2-g.	Consider removing legal impediments in local regulations that restrict competition among commercial recycling service providers.
F-3-a.	Provide funding and technical support to reuse and repair businesses.
F-3-b.	Develop more jobs-skills training opportunities in repair businesses, especially for disadvantaged individuals, perhaps through high school or community college trade programs.
F-3-c.	Invest in development of new recycling/reuse technology (market development).
F-4-a.	Develop commercial-sector food-waste recovery programs.
F-4-b.	Expand promotions of edible food recovery and redistribution programs.
F-4-d.	Educate and provide financial incentives for landscaping contractors and other generators to recover organic material.
G-1-a.	Develop a demonstration project highlighting ways to achieve a paper-efficient office.
G-1-b.	Educate businesses about the availability, costs, and benefits of using recycled and alternative-fiber paper.
G-1-e.	Create incentives for retailers to aggressively market recycled-content products.
G-1-h.	Consider restrictions on hand-delivered advertising left on residential and commercial doorsteps.
H-1-a.	Revise local building codes to allow an increased use of salvaged materials that are structurally sound in new or remodeled buildings.
H-1-b.	Develop "green building" specifications, including: • Resource-efficient design, • Design for renovation and deconstruction, • Appropriate-material selection, • Space allocation for recycling, and • Low-waste landscaping techniques.
H-1-d.	Require submission of a salvage, reuse, and recycling plan to obtain a demolition or renovation permit.
H-1-e.	Support pilot programs that study the economics of hand-deconstruction projects.
H-1-f.	Develop a building-materials reuse/recycling directory (that is, where to go to buy or sell reusable or recycled building materials).
H-1-g.	For construction projects with limited space, provide permits for increased sidewalk use for recycling bins for source-separated construction materials.

Transportation

1-1-h.	Increase City gasoline taxes and lobby for increased regional gasoline taxes. Use the funds for transit.
1-3-f.	Require and include incentives for businesses to provide secure parking and storage for bicycles and roller skates.
1-3-g.	Reimburse staff for mileage when errands are performed by bicycle.
1-7-d.	Set goods delivery times to off-peak hours on transit streets.
1-7-e.	Establish goods-delivery times downtown that give trucks priority over automobiles.
3-2-d.	Revise the planning code to allow more commercial and recreational facilities closer to residential areas.
5-1-c.	Provide incentives for businesses that provide commuter vans for employees.
5-1-h.	Use teleconferencing to reduce long-distance travel, and home businesses and telecommuting to reduce local travel. (*Suggested for business and government*)

Water and Wastewater

2-h.	Encourage maximum flexibility in work schedules, resulting in decreased commercial water use.
3-b.	Visit 30% of businesses to conduct educational audits.
4-e.	Coordinate with the tax office to identify businesses for potential pollution prevention practices.

ater and Wastewater...*continued*

.	Establish a procedure by which guests in San Francisco hotels can choose to have towels replaced less frequently than every day, to reduce water used in unnecessary laundry.
7)	Improve compliance among businesses that are required to pre-treat water that flows into the sewer system by creating an ordinance for citizen action for enforcement of applicable environmental codes.
-a.	Find alternative water sources so that no groundwater is used. (*Suggested for golf courses*)
-a.	Create and fund (through compliance funds) programs to restore and construct wetlands for alternative treatment, and also construct new wetlands whenever feasible.

:onomy and Economic Development

ı.	Establish a task force to plan for the transition to a sustainable economy, and to integrate San Francisco's plan with the region.
).	Develop an action strategy to address the challenges, opportunities, roles and requirements of management in a sustainable economy. (*Action suggested for a task force of business and public-sector leaders, and management-education programs*)
:.	Create a city position to coordinate agencies and resources for the transition to a sustainable economy.
l.	Review existing city environmental guidelines and remove obstacles to the achievement of the 5-year objectives.
:.	Capture the economic development potential of planning and implementation of a transition to a sustainable economy by marketing the goods, services, and expertise that result.
:.	Study the creation of local currency and credits and other methods to keep local dollars in the local economy.
ı.	Develop an action strategy to attract firms and create jobs in: • Industries in which the City has a competitive advantage and • Firms in emerging environmental industries; Market the positive environmental features of the Bay Area to attract sustainable business. (*Action suggested for City economic development agencies*)
).	Work together to attract businesses to the City. (*Action suggested for all city agencies*)
:.	Establish new, flexible environmental initiatives, such as *brownfield* redevelopment.
l.	Form and fund industry associations to advance common needs and interests. (*Action suggested for local firms in emerging industries, in conjunction with city government. For example, groups such as the Environmental Media Association for the movie industry.*)
)	Conduct a study to propose actions that will develop local markets for sustainable business. The study should produce proposals for action in the areas of city purchasing, planning, zoning, and infrastructure modification.
f.	Set up a sustainable business incubator program (which allows for participant feedback) and inform all small businesses in the City of the program's benefits.
g.	Implement a strategy for the economic development of a targeted part of the community with below-average prosperity (such as the Bayview or Visitacion Valley).
ı.	Promote local entrepreneurial ventures by facilitating community development fund loans and other assistance to startup businesses.
.	Invest city pension funds locally.
.	Help employees finance house-purchase down-payments for living in San Francisco. (*Suggested for San Francisco businesses*)
k.	Create a local currency. (*Suggested for at least one neighborhood*)
l.	Encourage labor-management partnerships to improve sustainable practices, and to increase business success and effectiveness. (*Suggested for business, labor and city government*)
m.	Increase the number of businesses that reuse and repair materials and products. (*Suggested for the private sector*)
ı.	Employ local residents, especially for emergency services (such as fire, police, and medicine). (*Suggested for city government*)
).	Increase sustainable practices in the tourism and movie industries in the City.
p.	Allow a small competitive advantage to worker-owned and cooperative businesses in municipal purchasing decisions.
q.	Disseminate information on the benefits of worker ownership and worker cooperatives. (*Suggested for city economic development agencies*)
r.	Promote sustainable business practices collaboratively between businesses, non-profit organizations, and government through education and compliance assistance (in preference to traditional approaches of inspection and enforcement).
)	Reward organizations that correct problems found in environmental audits (other than problems that are appropriately addressed with legal action).
:	Research and promote the benefits of adopting ISO 14000 standards.
ı.	Present and publicize awards for sustainable businesses, neighborhoods, city agencies, and community leaders. Also publicize booby-prizes for the worst environmental performance.

2-v.	Collaborate to assess the workforce needs of sustainable industries to design more effective curricula for the City's institutions of higher education. *(Action suggested for business and educational institutions)*
2-w.	Market the positive environmental features of the Bay Area to train and maintain a work force that meets the needs of Bay Area businesses.
2-x.	Act as a role model by: • Using only local contractors where possible for all services, and • Using and providing incentive programs for flexible employment practices. *(Suggested for city government)*
2-y.	Establish a program that manages neighborhood projects and employs neighborhood residents.
3-a.	Switch to an industrial ecology approach for industry and government planning.
3-b.	Research advances in materials processing to develop new strategies for resource recovery (for instance, textile-scrap uses). *(Action suggested for businesses and universities)*
3-c.	Recruit San Francisco manufacturers that can use as raw material by-products from city industries.
3-d.	Act as a role model by committing to maximizing 100% recycled or reused material in all types of purchases (such as cars, building materials, and office and maintenance supplies). *(Action suggested for city government)*
3-e.	Lobby state and federal governments to create *labeling and packaging guidelines* that follow leading-edge industry, product and international standards.
3-f.	Provide no-cost or low-cost space at Hunter's Point and Treasure Island for sustainable industries such as waste-brokering.
3-g.	Create apprenticeship programs targeting secondary-materials manufacturing.
4-a.	Implement a pilot project demonstrating environmentally sustainable, community-based development.
4-b.	Expand the open-space maintenance fund by moving some revenues from road maintenance and by soliciting business and community donations.
4-c.	Convert some paved areas such as streets and abandoned lots to green spaces.
4-d.	Build roof-top gardens, urban farms, and urban gardens.
4-e.	Consider sustainable development zones which allow uses previously excluded (such as home businesses that ship and receive goods without unreasonable interference).
4-f.	Develop zoning policies that are based on a consideration of the environmental impact of land use, and test them in a small area of the City.
4-g.	Limit access by gasoline-powered vehicles to designated streets to allow greater access by bicyclists and pedestrians.
4-h.	Investigate and emulate existing green building programs, such as that developed by the City of Austin, Texas.
4-i.	Revise redevelopment policies and programs to incorporate concepts of sustainability.
4-j.	Restore several under-used or contaminated areas, such as Port of San Francisco properties, to natural habitat.
4-k.	Redevelop under-used or contaminated properties using sustainable development land-use principles.
4-l.	Study the elimination of hidden and unpaid costs of development, including: • Modeling the economic and land-use implications of various policy-change options and • Recommending methods for enacting proposed changes. *(Action suggested for a government-university task force)*
4-m.	Streamline development permitting and compliance.
4-n.	Complete a pilot redevelopment project based on the principles of sustainable development.
5-a.	Use the approach described in the master plan to improve the City's housing stock.
5-b.	Give priority to city residents with the highest need for employment when recruiting for employment opportunities in green space maintenance.
5-c.	Establish neighborhood boards, which: • Have a voice in planning decisions affecting their neighborhoods, and • Create small-scale actions and programs for strengthening their neighborhood economies.
5-d.	Determine the adequacy and distribution of transit service with respect to the needs of San Francisco's population.
5-e.	Create tax incentives for owners of lots suitable for gardens to create more garden projects targeting the disadvantaged for employment.
5-f.	Fund one new project per neighborhood per year to create useful employment for local youth and elderly, homeless, rehabilitated and disabled people. These projects would be managed by the neighborhood boards and could be funded through such sources as the new environment department or federal or state block grants.
5-g.	Implement programs to strengthen local cultural and ethnic activities.
5-h.	Create neighborhood sustainability resource centers and support similar projects now underway, such as that of the Haight Ashbury Neighborhood Council.
5-i.	Build an affordable co-housing project. *(Action suggested for city government and one of the non-profit housing developers)*
5-j.	Provide incentives and implement other strategies to attract businesses that provide basic services (such as shopping, banking, laundry, and food service) to under-served neighborhoods.
5-k.	Increase neighborhood activities that enhance community sustainability, such as tree planting, building reuse, garden projects, and community events, and coordinate them through the sustainability resource centers.

onomy and Economic Development...*continued*

	Provide information, education, and resource support to worker-owned businesses.
n.	Use incentives to encourage San Francisco residency for city employees. (*Suggested for city government*)
9)	Produce information for various media about the nature and benefits of ISO 14000 and other emerging environmental management approaches.
).	Sponsor a series of educational events about the transition to a sustainable economy. (*Action suggested for the Chamber of Commerce and other appropriate organizations*)
:.	Publish case studies of the progress of firms that pursue ISO 14000 certification.
l.	Develop a sustainability curriculum for schools.
:.	Revise existing curricula to more effectively meet the work-force needs of targeted sustainable industries. (*Action suggested for a joint project between business and educational institutions*)

ivironmental Justice

1.	Create and fund locally staffed neighborhood economic development corporations to research and develop appropriate non-polluting businesses in poor neighborhoods.
2).	Provide economic and technical assistance to those businesses, such as loan programs for home-based and small businesses especially in poor neighborhoods with the concept of sustainability as a criteria for such loans.
2:.	Link economic development corporations with federal programs (such as Climate Wise) that sponsor environmental assessments of existing local industries to make them more economically sound and less polluting and to cut energy and waste costs.
1.	Create an incentive program for small and large businesses and industries to meet environmental and environmental justice sustainability criteria, recognizing that sustainability is an ongoing process rather than an end goal.
:.	Create an incentive program for landlords and homeowners to extend accessibility to low-flow toilets, weatherization, etc.
:.	Create partnerships among local business, residents and city officials to establish ongoing neighborhood community planning processes.

unicipal Expenditures

)	Create a "green vendors" list with associated products availability.

ublic Information and Education

	Promote responsibility among members of the civic and business communities. • Invite the civic and business communities to educational meetings, workshops, round-tables, and summits that provide resources for conducting business sustainably and illustrate examples of businesses' successful sustainability efforts. • Hold a series of "executive briefings" for the civic and business communities on steps to achieving sustainability, for employees and employers. • Meet with business representatives to encourage their participation, including corporate sponsorships, in outreach efforts. • Conduct workplace-based workshops on sustainability, for employees.

sk Management

g.	Encourage businesses to participate in NERT programs.
b.	Support alternative energy uses to reduce dependence on fossil fuels.

What is BSR?

ounded in 1992, BSR is a national association of usinesses with more than 1,200 member companies nd affiliated members. BSR provides assistance to mpanies seeking to implement policies and practices hich contribute to the long-term, sustained and esponsible success of their enterprises and which fairly alance the competing claims of key stakeholders: their nvestors, employees, customers, business partners, ommunities, and the environment. BSR also operates he BSR Education Fund (BSREF), a non-profit esearch, education and advocacy organization, o promote more responsible practices in the broader usiness community.

BSR Programs

BSR, in conjunction with the BSREF, conducts **programs** n a range of corporate social responsibility issues related o the environment, the community, the workplace, the global economy, ethics and the marketplace. Through hese programs, BSR provides specialized technical ssistance, research and consulting services; conducts educational workshops and training sessions; develops practical business tools; and operates an information clearinghouse of corporate "leadership" practices.

- The **"Business and the Environment"** program helps mpanies develop and implement innovative policies and programs aimed at improving corporate economic and environmental performance in areas such as energy efficiency, resource conservation, sustainability, waste minimization and pollution prevention.

- The **"Business and the Community"** program helps companies explore ways of increasing corporate involvement in areas such as community economic development, community relations, employee volunteerism and strategic philanthropy.

- The **"Workplace Policies and Practices"** program helps companies develop and implement innovative and effective workplace policies and practices in areas such as workforce diversity, employee empowerment, work/life balance and workplace privacy.

- The **"Business and Human Rights"** program helps companies address the broad range of human rights issues they face in sourcing and manufacturing in developing countries, e.g., worker health and safety, child/prison labor, wages and hours, and environmental standards.

- BSR's **"Ethics and Values"** program helps companies develop and implement ethics codes and create an ethical business culture.

BSR's Mission

Business for Social Responsibility (BSR) is a membership organization for companies of all sizes and sectors. BSR's mission is to help its member companies achieve long-term commercial success by implementing policies and practices that honor high ethical standards and meet their responsibilities to all who are impacted by their decisions.

BSR helps companies understand the nature of responsible business behavior, identify innovative and more effective ways to act more responsibly, and work with others to enhance the responsible behavior of the entire private sector. BSR helps companies prosper in ways that contribute to a healthier, more sustainable economy and a more just society.

Business for Social Responsibility

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BSR Membership Application

Company Name: _____

Primary BSR Contact: _____

Title: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

Please describe (in 25 words or less) your company's products or services for the Membership Directory:

How did you hear about BSR?

Membership Dues

BSR dues are based on your company's annual revenues. Please review the categories below and send a check made payable to "BSR" for the amount indicated to:
Business for Social Responsibility,
609 Mission Street, 2nd Floor, San Francisco, CA 94105.
Payments can also be made by:
O Visa O MasterCard O American Express
Name on card: _____
Card # _____ Exp. Date _____
Signature _____

For BSR records only, **please check below** your company's annual revenues.

Annual Revenues	Annual Dues
O Less than $100,000	$ 150
O $100,000 - $499,999	$ 300
O $500,000 - $999,999	$ 500
O $1 million - $9,999,999	$ 1,000
O $10 million - $49,999,999	$ 2,000
O $50 million - $99,999,999	$ 3,000
O $100 million - $499,999,999	$ 4,000
O $500 million - $999,999,999	$ 5,000
O $1 billion - $1,999,999,999	$ 7,500*
O $2 billion - $4,999,999,999	$ 10,000*
O $5 billion - $9,999,999,999	$ 15,000*
O $10 billion - $19,999,999,999	$ 20,000*
O More than $20 billion	$ 25,000*

Associate Members (non-voting)	
O National non-profits with a similar mission	$ 1,000
O Regional/local non-profits with similar mission	$ 250
O Individuals in unaffiliated companies	$ 250

* These companies may choose to pay a minimum of $5,000 to BSR, a 501(c)(6) organization, and make a charitable contribution for the difference to the BSR Education Fund, a 501(c)(3) organization.

We have reviewed and understand BSR's Mission.

Name _____

Title _____

Date _____

Benefits of BSR Membership

BSR tracks emerging issues and trends, provides information on corporate "leadership" practices, conducts research and educational workshops, develops practical business tools, and provides consulting services and technical assistance to help member companies implement more responsible policies.

Member companies also receive the following benefits:

- **BSR's Annual Conference** is a dynamic forum that brings together CEOs, business owners and other business leaders to identify and share successful strategies that contribute to responsible citizenship and corporate profitability. Member companies receive a discount on their conference registration fees.

- **BSR's bi-monthly newsletter** examines a variety of corporate social responsibility issues, highlights the "leadership" practices of innovative companies, and identifies emerging trends.

- **BSR's annual member directory** lists member companies and cross references them by sector and location. The directory includes a description of the products and/or services offered by member companies and identifies company contacts.

- **BSR's research publications** include papers on community relations, diversity, domestic partners benefits, environmental guidelines for suppliers, institutionalizing corporate social responsibility, volunteerism, workplace culture, and a host of other subjects.

- **BSR's guidebooks** include the "Model Employee Handbook" to help companies develop or update their human resources policies and practices and the "Social Responsibility Starter Kit" to help smaller companies integrate socially responsible practices and policies into their culture and operations.

- **BSR's Resource Center** serves as a "leadership" practices clearinghouse of information about what businesses are doing to become more profitable and responsible. The Resource Center publishes the weekly *BSR NEWS MONITOR*, which provides news summaries of recent developments, emerging issues and trends in corporate social responsibility from more than 125 publications. *NEWS CLIPS* provides similar small-company focused information on a monthly basis.

- **BSR's consulting services** provide specialized technical assistance and ad hoc research to member companies on a range of corporate social responsibility issues.

- **BSR's Regional Networks** provide programs and services of value at the local level. In a dozen regions, these networks meet informally to exchange ideas and experiences, conduct educational programs, plan community service activities and explore opportunities for collaboration and partnership.

Who are BSR Members?

BSR has an inclusive membership policy. We welcome companies that are leaders in the implementation of responsible corporate policies and practices, as well as those that are committed to and interested in doing so. BSR member companies include some of the country's most distinguished businesses representing every sector of the economy. **A sample of our large member companies include:**

AT&T
Arthur Andersen & Co.
Avon Products, Inc.
Ben & Jerry's Homemade, Inc.
The Coca-Cola Company
The Dayton Hudson Corporation
Edison International
Federal Express Corporation
Fleet Financial Group
Ford Motor Co.
The Home Depot
Honeywell, Inc.
Johnson & Johnson
Levi Strauss & Company
Marriott International Corporation
Oracle Corporation
Starbucks Coffee Company
The Timberland Company
Time Warner, Inc.

Smaller companies and start-ups that have won recognition for their innovative initiatives also represent a significant share of BSR's membership. Some of these member companies include:

The Bagelry
Cin-Made Corporation
Diaperaps, Ltd.
ecomat
Fetzer Vineyards
Franklin Research & Development
GreenAudit
Malden Mills Industries, Inc.
Nantucket Nectars
Patagonia
Rejuvenation, Inc.
Rhino Records, Inc.
Stonyfield Farm Yogurt, Inc.
White Dog Cafe
Wild Oats Market
Wild Planet Toys
Work/Family Directions

SAN FRANCISCO LEAGUE OF URBAN GARDENERS (SLUG)

2088 OAKDALE AVENUE, SAN FRANCISCO, CALIFORNIA 94124
TELEPHONE (415) 285-SLUG FAX (415) 285-7586

Urban Herbals is an innovative product line made from the highest quality locally grown organic berries, fruit, and herbs. Our unique recipes feature ingredients grown in urban gardens by youth employed in their neighborhood. The rest is purchased from local farmers and delivered to our production crews where it is processed and insured for the highest quality.

Urban Herbals offers more than high quality delicious products. It provides opportunities for high school graduates who urgently need support in building their future.
Urban Herbals empowers young adults with employment while involving them in the process of community based entrepreneurship. This job training and revenue generating project provides the skills for young adults to create their own businesses. They learn by working in all aspects of the enterprise from growing the food to marketing the products.

Already in over 50 San Francisco area stores following our first year of production, **Urban Herbals** is rapidly gaining attention. The **Urban Herbals** entrepreneurial vision has been featured in TV news stories and has received press coverage from many newspapers and magazines including The San Francisco Bay Guardian, The Chronicle, The Independent and Business Start-Up magazine. In addition, we are currently creating an on-line internet sales site to serve our growing national and international markets.

Jammin' Jam
San Francisco Mayor Willie Brown stated that he and his staff "unanimously agree that the jam is delicious." Our kiwi and strawberry-kiwi jams are sweetened simply with honey, and our strawberry jam is a low-sugar jam. .

Strawberry Jam:	Organic Strawberries, Sugar, Pectin, Calcium (for setting), Water
Kiwi Jam:	Organic Kiwis, Honey, Pectin, Calcium, Water
Strawberry-Kiwi:	Organic Strawberries, Organic Kiwis, Honey, Pectin, Calcium, Water

Herbal Vinegars
Our vinegars are made from the highest quality white and red wine vinegars, infused with herbs and garlic from the garden.

Spicy Tarragon:	White Wine Vinegar, Organic Tarragon, Chile de Arbol, Garlic
Balmy Basil:	White Wine Vinegar, Organic Basil, Garlic, Peppercorns
Mediterranean Red Wine:	Red Wine Vinegar, Organic Oregano, Garlic, Peppercorns

New Products
We now offer fresh **Slammin' Salsa** and **Bee Real Honey** produced by bees right here in San Francisco. We continue to develop exciting new products.

Please find enclosed in this packet our latest newsletter, press coverage of Urban Herbals, and an order form. The SLUG Urban Herbals crew would love to meet you for a taste testing presentation of this product line. Contact the Urban Herbals crew at (415) 285-7584 with any questions or to arrange an appointment.

Thank you very much for your interest in Urban Herbals.

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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LINDA RICHARDSON
CHRISTINE RUSSELL

DRAFT MINUTES
REGULAR MEETING
June 9, 1998

1. **Call to Order and Roll Call.** The meeting was called to order by Vice President Krefting. Present were Commissioners Eng, Evans, and Richardson. Absent were Commissioners Okamoto, Russell, and President Vietor.

2. **Approval of Minutes of May 12, 1998** – approved 4-0.

3. **Consent Calendar** File No. PPC-010-98 Commission Resolution Procedures. Unanimously approved upon motion by Commissioner Evans.

REGULAR CALENDAR

4. **Chemical Exemption Requests** - None

5. **Report & Recommendations on Antimicrobials and the IPM Ordinance - Department of the Environment.** Vice President Krefting relinquished the chairpersonship to Commissioner Evans and then moved to adopt File No. 014-98-COE, a resolution to adopt the *Report to the San Francisco Board of Supervisors on Reduction of Antimicrobial Pesticides* with recommendations that antimicrobial agents be included in the City's Integrated Pest Management policy with exemptions allowed.

   Unanimously adopted as amended for language.

6. **Communications**

   A. **Correspondence.** Secretary Chow reported receipt of a letter from the Southeast Alliance for Environmental Justice commending the Commission for its support and leadership on the Hunters Point and Potrero power plants issue.

   B. **Update on Hunters Point & Potrero Power Plants**
   Laurie Park, Hetch Hetchy Water & Power (PUC) reported on the progress of the City's initiative to acquire the Hunters Point and Potrero power plants from PG&E that was urged by the Commission's resolution of January 13, 1998, and the subsequent Board of Supervisors resolution authored by Supervisor Bierman, and the Public Utilities Commission's issuance of a report to the Board of Supervisors outlining a process acquire the power plants and to conduct a study of alternatives to reduce emission as soon as possible.

   Ms. Park reported that the PUC earlier directed its staff to prepare an environmental impact report (EIR) to prepare for the acquisition of the power plants through eminent domain proceedings if necessary. On June 8, the PUC did submit a bid to PG&E for the power plants.

   In response to a commissioner's question, Ms. Park said the Commission on the Environment would have a significant role in this initiative since environmental health factors are a major reason for the

proposed power plants acquisiton by the City.

Ms. Park concluded with the statement that there were some serious mis-characterizations by PG&E that the City was trying to get a bargain basement price. On the contrary, the City PUC strongly reiterated that its would be fair and equitable and not place a heavy burden on ratepayers or PG&E shareholders.

7. **Finance & Operations Committee Report.** Chairperson Krefting reported that the committee conducted performance reviews of Director Magilavy and Secretary Chow in closed session and voted not to disclose the content of the discussions. Commissioner Krefting reported that the Commission had been contacted by the Bluewater Network regarding the Commission's possible acceptance of funds resulting from the settlement of a lawsuit by Bluewater Network. A potential U.S. EPA grant was not submitted.

8. **Planning & Policy Committee Report.** Chairperson Evans reported that the committee had continued consideration of potential biodiversity resolutions to the next meeting, Thursday, June 18.

9. **Director's Report.** The Mayor's proposed 1998-99 budget provided for one additional new staff to the Department of the Environment. Director Magilavy reported that President Vietor, Gregg Small, director of Pestidide Watch, and Jon Rainwater of the League of Conservation Voters had met with Mayor Brown regarding funding of the City-wide Integrated Pest Management program.

   The resource efficient buildings legislation (formerly green buildings) continues to be worked on. The department is awaiting a definitive text from the City Attorney's Office.

   During the past month the department passed a financial review by the Controller's Office.

   By the year 2000 the IPM Ordinance will ban all chemical pesticides except those on a list of commonly used pesticides under the IPM program. DEnv is in the process of developing such a list. The most controversial of the chemicals is Roundup (glyphosate), which is rated as a Category III chemical by the U.S. EPA. It is a widely-used weed-killer manufactured by Monsanto.

10. **President's Report.** No report.

11. **Other Business.** None.

12. **Public Comment.** Commissioner Evans announced there would be a June 25 rally in front of the Russian Consulate by the Sierra Club and Amnesty International and Russian environmentalists to protest nuclear pollution. Commissioner Richardson also announced that the first Bayview Hunters Point street fair would be held in mid-July.

13. **Adjournment.** The meeting was adjourned at 7:16 p.m.

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LINDA RICHARDSON
CHRISTINE RUSSELL

NOTICE OF CANCELLATION OF MEETING

THE REGULAR MEETING OF THE COMMISSION ON THE ENVIRONMENT
SCHEDULED FOR
TUESDAY, JULY 14, 1998
6:00 P.M.

IN ROOM 410, 401 VAN NESS AVENUE, SAN FRANCISCO, CALIFORNIA

HAS BEEN CANCELLED.

CHRISTOPHER CHOW
COMMISSION SECRETARY

1540 MARKET STREET, SUITE 160, SAN FRANCISCO, CALIFORNIA 94102
PHONE 415-554-6390 · FAX 554-6393

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NOTICE OF SPECIAL MEETING AND AGENDA

SATURDAY, JULY 25, 1998*

THIRD FLOOR, HENRY S. DAKIN COMPANY**
3220 SACRAMENTO STREET, SAN FRANCISCO

SPECIAL STRATEGIC RETREAT SESSION
9 A.M. TO 5:30 P.M.*

COMMISSIONERS

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE L. ENG
REBECCA EVANS
PAUL C. OKAMOTO
LINDA RICHARDSON
CHRISTINE H. RUSSELL

BERYL MAGILAVY
DIRECTOR OF THE DEPARTMENT OF THE ENVIRONMENT

CHRISTOPHER CHOW
COMMISSION SECRETARY

RONA SANDLER
DEPUTY CITY ATTORNEY

*Not the regular meeting date or time
**Not the regular meeting location

1540 Market Street, Suite 160, San Francisco, California 94102
Telephone: (415) 554-6390 Fax: 554-6393

COMMISSION ON THE ENVIRONMENT

CITY AND COUNTY OF SAN FRANCISCO

ORDER OF BUSINESS

Special Strategic Retreat Meeting

July 25, 1998
9 a.m. to 5:30 p.m.
3220 Sacramento Street, San Francisco

1.	Call to Order, Roll Call, and Welcome	
2.	Year in Review (1997-98)	DISCUSSION
3.	Review of Mission Statement for Potential Revision	ACTION
4.	Image & Activities of the Commission on the Environment and the Department of the Environment: Actual vs. Desired	DISCUSSION
5.	Programs & Priorities for 1998-99	ACTION
6.	LUNCH	
7.	Commission & Department Roles a. Activities & Interaction: Past & Future b. Distinction and Clarification of Roles	ACTION
8.	Specific Objectives/Goals for Program Priorities	ACTION
9.	Operationalizing Priorities	ACTION
10.	Other Business - Columbia Foundation grant	INFORMATION
11.	Public Comment	
12.	Adjournment	

ACCESSIBLE MEETING INFORMATION

Air Quality

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals. [Section 67.15 of the San Francisco Administrative Code, Sunshine Ordinance.]

Public Transportation

The closest BART station connecting to a Municipal Railway line is the Embarcadero Station from which you can walk to a #1 California line bus going west.

Accessibility of Meeting Location

The meeting room is accessible by wheelchair. Accessible MUNI lines serving this location are the #1 California bus line and the #24 Divisadero bus line. For more information about MUNI accessible services, please call 923-6142.

Large print agendas, audio tapes of minutes, sound-enhancement equipment, and other services to aid the visually and hearing-impaired to attend the meeting are available by calling 554-6390.

Statement of Nondiscrimination

THE COMMISSION ON THE ENVIRONMENT DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY IN EMPLOYMENT OR IN THE ADMISSION AND ACCESS TO ITS PROGRAMS OR ACTIVITIES.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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RESOLUTION NO. 033-97-COE ***November 12, 1997***

[Mission Statement]

AMENDING ARTICLE II – MISSION STATEMENT, SECTION 1, BYLAWS OF THE COMMISSION ON THE ENVIRONMENT

RESOLVED, that Article II – Mission Statement, Section 1, of the Bylaws of the Commission, be amended as follows:

The mission of the Commission on the Environment is to improve, enhance, and preserve the quality of life in San Francisco in the areas of solid waste management, recycling, energy conservation, natural resource conservation, environmental justice, toxics, urban forestry and natural resources, habitat restoration, hazardous materials, transportation, and protection of the natural world; and to promote San Francisco's long-term environmental sustainability.

I hereby certify that this resolution was adopted by the Commission on the Environment at its special meeting of November 12, 1997.

_____
Christopher Chow
Commission Secretary

VOTE:
Ayes: *Commissioners Eng, Evans, Krefting, Okamoto, Richardson, Russell, and Vietor.*
Noes: *None.*
Excused: *None.*

Commission on the Environment

COMMISSION ON THE ENVIRONMENT

CITY AND COUNTY OF SAN FRANCISCO

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Resolution No. 030-97-COE **November 12, 1997**

[Goals & Priorities]

LINKING COMMISSION GOALS AND DEPARTMENT PRIORITIES

RESOLVED, that the Commission on the Environment adopt the following goals linked to the following program priorities for the Department of the Environment:

A. Goal: Achieve maximum effectiveness on environmental programs of city departments, agencies, and elected officials;

   Priorities for 1997-98 – review of environmental functions of departments and agencies of City and County of San Francisco;

   Priorities for next 5 years – implement the Sustainability Plan.

B. Goal: Promote environmental awareness, social justice, and education. Develop related programs resulting in personal commitment and action;

   Priority for 1997-98 – establish public outreach and education program;

   Priorities for next 5 years – plan and co-produce an environmental summit; implement the Sustainability Plan.

C. Goal: Decrease or eliminate toxics in San Francisco;

   Priorities for 1997-98 – establish, publicize, and oversee Integrated Pest Management (IPM) Program;

   Priorities for next 5 years – develop brownfields projects and/or collaborate with or assist other agencies to work in brownfields programs.

D. Goal: Enhance the vitality of San Francisco neighborhoods and encourage community participation;

   Priorities for next 5 years – plan and/or co-produce an environmental summit; develop or assist other parties in developing brownfields projects.

E. Goal: Effectively respond to and manage special requests and special projects that have environmental implications;

Priority for 1997-98 – address hot issues and special topics.

F. Goal: Reduce San Francisco's impact on the earth's natural resources and preserve and restore the city's natural heritage;

Priority for 1997-98 – promote resource efficiency (green building) standards throughout San Francisco; assist the Board of Supervisors and the Mayor in enacting resource efficiency standards for municipal projects.

G. Goal: Ensure the effective operations and program implementation of the Department of the Environment.

I hereby certify that this resolution was adopted by the Commission on the Environment at its meeting of November 12, 1997.

_____

Christopher Chow
Commission Secretary

VOTE:

Ayes: *Commissioners Eng, Evans, Krefting, Okamoto, Richardson, Russell, and Vietor.*
Noes: *None*

Commission on the Environment

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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I hereby certify that this resolution was adopted by the Commission on the Environment at its special meeting of November 12, 1997.

_____
Christopher Chow
Commission Secretary

VOTE:
Ayes: *Commissioners Eng, Evans, Krefting, Okamoto, Richardson, Russell, and Vietor.*
Noes: *None.*
Excused: *None.*

Commission on the Environment

COMMISSION ON THE ENVIRONMENT

CITY AND COUNTY OF SAN FRANCISCO

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Resolution No. 030-97-COE **November 12, 1997**

[Goals & Priorities]

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E. Goal: Effectively respond to and manage special requests and special projects that have environmental implications;

Priority for 1997-98 – address hot issues and special topics.

F. Goal: Reduce San Francisco's impact on the earth's natural resources and preserve and restore the city's natural heritage;

Priority for 1997-98 – promote resource efficiency (green building) standards throughout San Francisco; assist the Board of Supervisors and the Mayor in enacting resource efficiency standards for municipal projects.

G. Goal: Ensure the effective operations and program implementation of the Department of the Environment.

I hereby certify that this resolution was adopted by the Commission on the Environment at its meeting of November 12, 1997.

_____

Christopher Chow
Commission Secretary

VOTE:

Ayes: Commissioners Eng, Evans, Krefting, Okamoto, Richardson, Russell, and Vietor.
Noes: None

Commission on the Environment

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

DRAFT MINUTES
Special Strategic Retreat Meeting

July 25, 1998

Call to Order, Roll Call, and Welcome. President Vietor called the meeting to order at 9:20 a.m. Present were Commissioners Eng, Evans, Krefting, and Richardson. Commission secretary Chow, department director Magilavy, and intern von Ruschkowski were present as well. President Vietor introduced the facilitator, Mr. Frank Lee of Frank Lee Associates, Inc., a management training and consulting firm since 1972. Mr. Henry S. Dakin, owner of the 3220 Gallery/Conference Center, was acknowledged for contributing his penthouse conference room.

Year in Review (1997-98). Mr. Lee asked the commissioners to state their expectations of the meeting and posed the question, "What would leverage the progress of this organization?" Commissioner Eng invited Director Magilavy to articulate the key issues ahead for the COE and DEnv. Commissioner Krefting said he wanted to discuss what worked, what didn't, and what's missing over the past year.

Director Magilavy identified the successes of the Integrated Pest Management (IPM) program, which is overseen by the DEnv, which in turn is overseen by the COE: establishing good technical information and a Guidance Document for other City departments; completing the *Report to the San Francisco Board of Supervisors on Reduction of Antimicrobial Pesticides* with recommendations for legislation; helping establish an interactive data collection system and web site for IPM; establishing the responsibilities of the departmental IPM coordinators. The deficiencies of the program were also identified: the whole program has been hampered by non-existent or insufficient funding for IPM implementation in other city departments' budgets and by the splitting of IPM program leadership city-wide between DEnv and the Department of Agriculture resulting in inconsistent departmental performances. The director has addressed this problem by asking the Mayor to consolidate the IPM program under a single agency – DEnv. President Vietor said the image of IPM across the city is a lack of enthusiasm and a lack of overall responsibility for IPM. Commissioner Evans said IPM is not the only city-wide program not working, there are systemic reasons for the difficulties, including the historic bureaucratic culture of the City and County of San Francisco. The discussion segued into a review of the Commission goals and the Department priorities met in the past year, restricted to the priorities for 1997-98 and not the five-year projections.

Goal A: Achieve maximum effectiveness on environmental programs of city departments, agencies, and elected officials, the priority being the review of environmental functions of departments and agencies of the City and County of San Francisco.

Director Magilavy identified communication with the Mayor's Office as a problematic area, yet the positives included the involvement of City Administrator Bill Lee, allocation of funding in the coming fiscal year -1998-99 - for an analyst to perform the review. The director opined that DEnv shouldn't be working directly on this matter because of an inherent conflict of interest, better that the Mayor's Office take the lead. Commissioner Krefting added that this project would be one of the hardest tasks to be undertaken by any city agency. Commissioner Richardson said the mayor's charge to consolidate city government's various environmental functions under one agency should be taken to heart.

Director Magilavy drew attention to implementation of the Sustainability Plan, focusing on adoption of the plan by the Board of Supervisors, work underway by Sustainable San Francisco to assess implementation by surveying actions and indicators, and the good press received outside San Francisco. The negative, cynical, lampooning news coverage spearheaded by the San Francisco Chronicle was noted. The department acknowledged implementation of the Sustainabilit Plan has been hampered by the difficulty in changing the mind-sets of other city departments and commissions, e.g., the lack of response by the Parking and Traffic Commission and the Department of Parking and Traffic to enact key provisions of the San Francisco Bicycle Plan and their failure to view the controversy between bicyclists and automobile drivers as an issue affecting global warming.

Facilitator Lee noted that what's missing in the strategic planning are outcome measurements, criteria for assessing success.

Goal B: Promote environmental awareness, social justice, and education. Develop related programs resulting in personal commitment and action. Priority for 1997-98 – establish public outreach and education program.

Director Magilavy described the establishment of the department's public outreach and education program through numerous public speaking engagements at local, national, and international conferences, a flow of press releases on sustainability, integrated pest management, and the Commission's initiative urging the Public Utilities Commission, the Board of Supervisors, and the Mayor to investigate whether to purchase the Hunters Point and Potrero power plants from Pacific Gas & Electric Company. In addition, DEnv made a strong appearance in the Chinatown Festival for the Environment and on the internet with the establishment of the department's web site on CitySpan, the City's web site.

Commissioner Krefting noted that the bad press received on the Sustainability Plan reflected the cultural values and context of our society.

Commissioner Richardson lauded the Commission's series of hearings on various environmental topics (including those related to sections of the Sustainability Plan) for their effectiveness in promoting public outreach and credibility.

Commissioner Eng acknowledged the establishment of the public outreach program, particularly the development of well-written and well-designed fact sheets. However, she felt the work of DEnv and COE need more touting throughout city government.

Commissioner Evans suggested another avenue of effective outreach would be booking staff and commissioners on the various radio, television, and cable talk shows.

Goal C: Decrease or eliminate toxics in San Francisco. Priority for 1997-98: establish, publicize, and oversee Integrated Pest Management Program.

The consensus was that the IPM program has been established, albeit in spite of erroneous, negative reporting by Channel 4 regarding rats and IPM. The IPM guidance document developed for city departments has been effective; an IPM data collection system (interactive, web-based) is completing beta-testing; and several IPM training sessions have been completed. Initial difficulties in securing city-wide compliance with the minimal requirements of the IPM ordinance have been overcome recently following a meeting of most department heads convened by Mayor Brown. Initial oversight issues are being addressed with a proposal that overall responsibility for the IPM program be consolidated under DEnv (presently split with the Department of Agriculture).

Goal D: Enhance the vitality of San Francisco neighborhoods and encourage community participation. Priorities: plan and/or co-produce an environmental summit; develop or assist others in developing brownfields projects.

President Vietor felt that the COE should hold meetings in the community and neighborhood centers. She felt that the COE and DEnv should be taking opportunities to speak out on public issues from an environmental standpoint.

Director Magilavy questioned the efficacy of an environmental summit resulting in change in the environmental conditions of San Francisco. Neither the COE nor DEnv have the staff, time, or resources to mount such a project, and the suggestions of support from the Mayor's Office have not been backed up with concrete offers.

Similarly, despite DEnv's dialogue with both the Redevelopment Agency's half-time point person on brownfields and Mr. Kofi Bonner, Director of the Mayor's Office of Economic Development, there has been no movement. Following the director's discussion with Mr. Bonner regarding the identification of potential brownfields sites and potential community-based developers, the matter was referred to the Redevelopment Agency.

Goal E: Effectively respond to and manage special requests and special projects that have environmental implications. Priority: Address hot issues and special projects.

The Commission's resolution on the Hunters Point and Potrero power plants issue was a shining example. As a result of the Commission's support of the initiatives by the Southeast Alliance for Environmental Justice and the Golden Gate University Environmental Law and Justice Clinic and the work of the Public Utilities Commission and the Mayor's Office, PG&E recently agreed to shut down the Hunters Point power plant and its polluting, unhealthy emissions.

Other hot issues tackled by the COE and DEnv include air quality (holding a public hearing, working with Supervisor Ammiano on his comprehensive healthy air and pollution prevention legislation), bicycling issues (participating in the meetings on Critical Mass, urging implementation of the San Francisco Bicycle Plan adopted by the Parking and Traffic Commission), deconstruction and recycling of building materials (holding a hearing), reviewing the assessment of environmental issues regarding the proposed Giants baseball park at China Basin , urging the Municipal Railway to help clean up the air by purchasing Compressed Natural Gas (CNG)-fueled vehicles instead of diesel-powered vehicles, and development of legislation to reduce the use of toxic substances by City agencies or on City property.

Goal F: Reduce San Francisco's impact on the earth's natural resources and preserve and restore the City's natural heritage. Priority: promote resource efficiency (green building) standards throughout the city; assist the Board of Supervisors and the Mayor in enacting resource efficiency standards for municipal projects.

Director Magilavy has been working an inter-agency working group for 16 months on this project, now called High Performance Buildings. Draft legislation is being reviewed by the City Attorney's Office for final form. Supervisor Katz is expected to introduce this legislation soon.

Goal G: Ensure the effective operations and program implementation of the Department of the Environment.

With regard to the DEnv's budget request for FY 1998-99 to meet its program priorities and the COE's goals and City Charter-mandates (some $100,000 for two staff and material resources to conduct public outreach and provide technical and analytical support for COE) "we got screwed", in the words of Commissioner Evans.

Director Magilavy commented that communications issues with the Mayor's Office have now been resolved.

3. **Review of Mission Statement for Potential Revision.**

Commissioner Krefting moved to amend the Bylaws, Article II – Mission Statement, Section 1 thusly:

Resolved, That the Commission on the Environment amends Article II-Mission Statement, Section 1: The Commission on the Environment, as follows: The mission of the Commission on the Environment is to improve, enhance, and preserve the environment; and to promote San Francisco's long-term environmental sustainability as laid out in Section 4.118 of the City Charter.

The motion was carried unanimously, 5-0.

Pursuant to the provisions of Article XII – Amendment of Bylaws, this resolution, marked Resolution No. 015-98-COE, shall be noticed to the public and all members of the Commission on the Environment 10 days in advance of the regular Commission meeting at which it will be considered as an action item (August 11, 1998).

4. **Current Image: Actual vs. Desired.** It was the consensus of the participants that both the Commission and the Department lacked a positive image throughout the City and that a priority for the coming year would be to establish a public image of knowledgeability, responsiveness, and success. Commissioner Evans said each member of the Board of Supervisors should know each commissioner as well as the director. President Vietor said COE and DEnv need to look for strategic opportunities to focus public attention in a positive way. Director Magilavy said "we need to maintain broad interests" and to seek outside funding for new programs, adding, "our input to the Board of Supervisors is important." Commissioner Krefting said the periodical environmental indicators report to the mass media should be pursued. Commissioner Eng declared "we need a major win (besides the power plant issue), we need to make sure we do IPM well. That's an outcome." Commissioner Evans added that IPM is not a sexy issue to the public or the Board, as is High Performance buildings. Commissioner Krefting said IPM could be sexy if it were pitched the right way (e.g., benefitting school children, providing resources for homeowners and gardeners). Commissioner Eng deplored the lack of a professional marketing strategy and program, saying "we're not as sophisticated as others" in projecting an image.

Facilitator Lee asked what are the top three priorities in terms of image. The following list depicts how the commissioners assigned their priorities:

Knowledgeable	4
Responsive	4
Powerful	3
Successful	3
Leadership	3
Strategic	2
Work on sexy issues	1

5 **Break.** A five-minute break was taken at 10:40 a.m.

6 **Programs & Priorities for 1998-99.** Various commissioners urged that work continue on the initiatives undertaken in 1997-98. Commissioner Eng revisited her proposal that the City establish a task force or committee on energy planning; that there be follow-up on the future of PG&E's Potrero power plant; that President Clinton's call for 1 million solar-powered homes by the year 2010 be implemented on a city level, say 10,000 San Francisco homes be fitted for solar-power; and that the implications of global warming be addressed on a local level.

7 **LUNCH.** Lunch was taken at around noon.

8. **Commission & Department Roles.** The activities and roles of the Commission and the Department were extensively discussed. It was agreed that the Commission sets policy and goals; the Department implements priorities and programs.

Consensus was reached on the following:

COE should adopt resolutions on timely issues (having resolutions ready at the time of hearings to maintain momentum); investigate environmental issues and make recommendations to City agencies; conduct public education; evaluate DEnv.

DEnv should implement policies and programs, seerve as a resource for others agencies; collaborate with other agencies; be responsive to political decision-makers, government staff, and members of the public.

Both COE and DEnv should assist in the drafting of legislation; interact with the Board and the Mayor; provide an interface with other local, regional, state, and national government entities.

President Vietor offered to circulate a hearing topic list with assigned priorities as a way to effect a feedback loop. The consensus was that the roles of COE and DEnv are complementary.

9. **Specific Objectives/Goals for Program Priorities.** There was an extensive review of the Commission's goals and the Department's priorities of the previous fiscal year, including a discussion on the value of convening an environmental summit that had been a five-year priority. In response to Director Magilavy's question of what tangible outcomes could result from a summit that would change the environmental state of the City, Commissioner Eng said suggested coupling with another environmental event already being planned so as to leverage resources. For example, the Party for the Planet scheduled for the fall at Treasure Island. "Perhaps we can plan something in conjunction, on a separate day, where hundreds of people are going to be in town." Commissioner Krefting questioned the value of a generic environmental summit, since the scope would be vast. However, he thought that perhaps a summit focusing on energy, renewable sources that Commissioner Eng had touched on earlier, drawing together experts and policy-makers and generating a lot of publicity around it would be useful. Director Magilavy warned that "I have a horror of this. In order to do one of these things correctly, you have to have a huge lead time, you have to really put together a large community organization to give you feedback and interact with to do this properly. We've done this over the last year with the sustainable development forum. The department spent a hell of a lot of time on this. As you recall, we raised money, we got all these things going, the mayor bailed out; so then we re-set it, I apologized to everyone, and we re-set it, and then we backed out all together. Now, I don't want to do this again. This is an enormous amount of my time to try to put together something like this. I think that the results we would get out of this, in my view, would be nowhere close to the amount of energy it would take to put it on." In acknowledging the enormity of the undertaking and the limited resources of the DEnv and COE, President Vietor said she wanted to keep the summit "in the hopper, until we can talk about it in a realistic way." See Goals B and D for conclusion.

The consensus was to update Resolution No. 030-97-COE, Linking Commission Goals and Department Priorities.

Goal A: Achieve maximum effectiveness on environmental programs of city departments, agencies, and elected officials.
Priorities for 1998-99: Facilitate the Mayor's Office review of environmental functions in city government; review and potential involvement in the implementation of the recommendations. Continue the five-year priority for implementing the Sustainability Plan.

Goal B: Promote environmental awareness, social justice, and education. Develop related programs resulting in personal commitment and action. *Priorities for 1998-9*: maintain and advance the on-going public outreach, education, and media program and seek outside funding for it and prioritize public outreach for the next city budget cycle (1999-2000); publish an annual report; educate members of the Board of Supervisors and other policy-makers. *Five-year Priority:* participate in sponsoring a focused summit on a specific environmental topic to be identified.

Goal C: Decrease or eliminate toxics in San Francisco. *Priorities for 1998-99*: Continue establishing, publicizing and oversee the Integrated Pest Management Program; centralize administration of the program; focus on brownfields as part of the City's environmental functions re-organization process as a possible area of coordination. [Commissioner Eng noted that there is a lack of leadership in the City on brownfields, consequently the City has missed several funding opportuities.]

Goal D: Enhance the vitality of San Francisco neighborhoods and encourage community participation. *Priority for 1998-99:* Hold COE hearings and/or meetings in specific communities or neighborhoods. *Five-Year Priority*: participate in sponsoring a focused summit on a specific environmental topic to be identified.

Goal E: Effectively respond to and manage special requests and special projects that have environmental implications.
Priority: Continue to address hot issues and special topics and maintain flexibility in choice.

Goal F: Reduce San Francisco's impact on the earth's natural resources and preserve and restore the City's natural heritage. Priority: Continue promoting resource efficiency (green building) standards throughout the city (DEnv potentially consulting with the Mayor's Office and the American Institute of Architects on a media education campaign, seeking appropriation for a resource efficiency staff person in DEnv, creating a role in a multi-agency task force; assist the Board of Supervisors and the Mayor in enacting resource efficiency standards for municipal projects.

Goal G: Ensure the effective operations and program implementation of the Department of the Environment. There was some discussion of some commissioners' desire that they have an opportunity for input and feedback regarding department staff evaluations. Priority for 1998-99: to be proposed.

Operationalizing Priorities.

Facilitator Lee asked the commissioners to rank order program priorities on a 100-point basis.

1. Public Outreach
2. IPM
3. Green Buildings
4. Special Projects

This was the result:

	SK	FV	LR	AE	BE	Total	Avg.
1	30	10	15	20	20	95	19
2	30	80	70	50	40	270	54
3	30	0	5	20	20	65	13
4	30	10	10	10	20	70	14

Commissioner Vietor introduced Resolution No. 017-98-COE,

RESOLVED, That the Commission on the Environment promulgates the following: that the top two priorities for the Department of the Environment shall be

1) facilitating the Mayor's Office review of environmental functions of city agencies for possible re-organization; and

2) effectuating and centralizing the city-wide Integrated Pest Management (IPM) program under the Department of the Environment;

with additional programs with limited activities to include public outreach and education (seeking additional funding to improve and enhance the image of the Commission on the Environment and the Department of the Environment); high-performance buildings (formerly green buildings, which would include finalizing legislation and seeking funding for any additional activities); and special projects.

The resolution was unanimously carried, 5-0.

Other Business. It was reported that the Finance and Operations Committee had voted to cancel the Sustainable Development Forum and return the grant funding to the Columbia Foundation. President Vietor indicated that the Columbia Foundation would entertain new proposals.

Public Comment. Two members of the public encouraged the Commission to continue its work.

Adjournment. The meeting was adjourned at 4:20 p.m.

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE LEE ENG
REBECCA EVANS

PAUL OKAMOTO
LINDA RICHARDSON
CHRISTINE RUSSELL

NOTICE OF MEETING AND AGENDA

TUESDAY, AUGUST 11, 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

REGULAR SESSION
6: 00 P.M.

COMMISSIONERS

FRANCESCA VIETOR, PRESIDENT
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ANNE L. ENG
REBECCA EVANS
PAUL C. OKAMOTO
LINDA RICHARDSON
CHRISTINE H. RUSSELL

BERYL MAGILAVY
DIRECTOR OF THE DEPARTMENT OF THE ENVIRONMENT

CHRISTOPHER CHOW
COMMISSION SECRETARY

RONA SANDLER
DEPUTY CITY ATTORNEY

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Statement of Nondiscrimination

The Commission on the Environment does not discriminate on the basis of disability in employm or in the admission and access to its programs or activities.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINAN OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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CHRISTINE RUSSELL

ORDER OF BUSINESS
Tuesday, August 11, 1998
6 p.m.
Room 207, 401 Van Ness Avenue, San Francisco

1. **Call to Order and Roll Call**
2. **Approval of Minutes of June 9, 1998 and July 25, 1998** — ACTION
3. **Consent Calendar.** — ACTION

   File No. FOC-005-98. Establishing ad hoc committee to develop logo for DEnv.
   File No. FOC-006-98. Creating City-wide environmental publication.
   File No. FOC-007-98. Approving preparation of a proposal for weekly environmental indicators report.

   File No. FOC-008-98. Cancelling Sustainable Development Forum.
   File. No. 016-98-COE – Goals & Priorities for FY 1998-99

   REGULAR CALENDAR

4. **Chemical Exemption Requests** – None.
5. **Communications**
6. A. **Correspondence** – Letter from PODER requesting assistance in development of a children's park on a vacant, contaminated lot in the Mission District as part of its Mission Anti-Pollution Action Project (Proyecto MAPA). — INFORMATION

   B. **Hearing on Wetlands Projects in San Francisco** – Commissioner Evans — INFORMATION
   Ruth Gravanis
   Presidio-Crissy Field
   Port Commission /SLUG – Pier 98

7. **File No. 015-98-COE – Amendment to Bylaws, Mission Statement** — ACTION
8. **Finance & Operations Committee Report** — INFORMATION
9. **Planning & Policy Committee Report** — INFORMATION
10. **Director's Report** — INFORMATION
11. **President's Report** — INFORMATION
12. **Other Business** — INFORMATION
13. **Public Comment**
14. **Adjournment**

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

CONSENT CALENDAR ITEM FOR AUGUST 11, 1998

File No. FOC-005-98 **July 20, 1998**

[DEVELOP LOGO FOR DEPARTMENT OF THE ENVIRONMENT]

RESOLVED, That an *ad hoc* committee comprised of two commissioners appointed by the president of the Commission on the Environment, and the public outreach coordinator of the Department of the Environment, be established to develop a logo for the Department of the Environment.

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

REGULAR CALENDAR ITEM FOR AUGUST 11, 1998

File No. FOC-006-98 **July 20, 1998**

[Creating City-wide Environmental Publication]

RESOLVED, That the Department of the Environment shall pursue efforts to consolidate the newsletters of the City's various environmental functions into a periodical publication.

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

CONSENT CALENDAR ITEM FOR AUGUST 11, 1998

File No. FOC-007-98 **July 20, 1998**

[APPROVING PREPARATION OF WEEKLY ENVIRONMENTAL REPORT PROPOSAL]

RESOLVED, That the Department of the Environment prepare a proposal to the United States Environmental Protection Agency for funding of a weekly environmental indicators report to be compiled and written by the Department of the Environment for public dissemination through the news media.

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

CONSENT CALENDAR ITEM FOR AUGUST 11, 1998

File No. FOC-008-98 **July 20, 1998**

[CANCELLING SUSTAINABLE DEVELOPMENT FORUM]

RESOLVED, That the Commission on the Environment urges the Department of the Environment to cancel the Sustainable Development Forum and that the balance of the grant monies received for that project be returned to the Columbia Foundation.

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

CONSENT CALENDAR ITEM FOR AUGUST 11, 1998

File No. 016-98-COE **July 25, 1998**

[Goals & Priorities for FY 1998-99]

RESOLVED, That the Commission on the Environment promulgates the following: that the top two priorities for the Department of the Environment shall be

1) facilitating the Mayor's Office review of environmental functions of city agencies for possible re-organization; and
2) effectuating and centralizing the city-wide Integrated Pest Management (IPM) program under the Department of the Environment;

with additional programs with limited activities to include public outreach and education (specifically, seeking additional funding to improve and enhance the image of the Commission on the Environment and the Department of the Environment); high-performance buildings (formerly green buildings, which would include finalizing legislation and seeking funding for any additional activities); and special projects.

¡PODER!

PEOPLE ORGANIZING TO DEMAND ENVIRONMENTAL RIGHTS

EL PUEBLO ORGANIZÁNDOSE PARA DEMANDAR DERECHOS AMBIENTALES

July 10, 1998

Post-it™ Fax Note 7671	Date 7/16/98	# of pages ▶ 2
To Chris Chow	From Christine Russell	
Co./Dept.	Co.	
Phone # 554-6393	Phone # 986-5179	
Fax # ✓	Fax #	

Christine H. Russel
Environment Commissioner
1540 Market Street Suite 160
San Francisco, CA 94102

Dear Ms. Russel,

People Organizing to Demand Environmental Rights (¡PODER!) is a grassroots community organization based in the Mission District. We believe that the solutions to community problems depend on the active participation of all people in the decision making process. ¡PODER! believes that the improvements to our urban environment must be made through social, economic and environmental justice.

¡PODER!'s current campaign is the Mission Anti-Pollution Action Project (Proyecto MAPA), which was initiated in 1996. Through our research, we have found that there are over 330 sites which have toxic materials. Proyecto MAPA seeks to work toward solutions to the problems that affect our health and environment. Our first attempt to address the sites with contamination is focused on the lot on 3070-3090 23rd Street.

¡PODER! has been working with residents, schools and city officials since the summer of 1997 to get the empty lot on 23rd Street purchased, cleaned up and turned into a children's park. The above mentioned lot has been identified by the Department of Public Health to be contaminated by toxic substances. The lot, is located in a residential area and in the vicinity of an elementary school. ¡PODER! is concerned about the toxins in the lot, since at this time it is not clear what the long term effects of the toxins are. However we believe this contamination to be a potential health hazard to our community.

Since ¡PODER!'s involvement with this issue, the lot has been rezoned to an open space, community members and school children have posted warning signs on the lot, and recently, the City has signed an agreement with the owners for the sale of the property. Once the owners do the clean up for the underground storage tanks, the City will own the lot. ¡PODER! is currently working to ensure that local residents will be hired to do the clean up and redevelopment of the lot. We are also working with residents, neighbors and schools to secure that the park will be a place that people feel good about, for example we are in the process of developing focus groups to look at the design of the park and students in nearby schools are making recommendations for the name of the park.

474 Valencia Street Suite 155 San Francisco, CA 94103 • Phone (415) 431-4210 • Fax (415) 431-8525 • Email poder@igc.org

We would like to know if your commission can help facilate and support the clean up and the development of a clean, safe, fun and beautiful children's park on the property of 3070-3090 23rd Street. I will be in contact with you, to address this important issue to our community .

Sincerely,

Geri Almanza

Geri Almanza
Community Organizer

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

(Pursuant to the provisions of Article XII – Amendment of Bylaws, this resolution, marked Resolution No. 015-98-COE, is being noticed to the public and all members of the Commission on the Environment 10 days in advance of the regular Commission meeting at which it will be considered (August 11, 1998).

File No. 015-98-COE **July 25, 1998**

[AMENDMENT TO BYLAWS, MISSION STATEMENT]

RESOLVED, That the Commission on the Environment amends Article II-Mission Statement, Section 1: The Commission on the Environment, as follows: The mission of the Commission on the Environment is to improve, enhance, and preserve the environment; and to promote San Francisco's long-term environmental sustainability as laid out in Section 4.118 of the City Charter.

I hereby certify that this resolution was adopted by the Commission on the Environment at its special meeting of July 25, 1998.

Christopher Chow
Commission Secretary

VOTE:
Ayes: *Commissioners Eng, Evans, Krefting, Richardson, and Vietor.*
Noes: *None.*
Excused: *Commissioners Okamoto and Russell.*

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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LINDA RICHARDSON
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DRAFT MINUTES
Tuesday, August 11, 1998

1. **Call to Order and Roll Call.** The meeting was called to order at 6:08 p.m. by President Vietor. Present were Commissioners Evans, Krefting, Richardson, and Russell. Commissioner Okamoto arrived at 6:15 p.m. Commissioner Eng was absent.

2. **Approval of Minutes of June 9 and July 25, 1998.** President Vietor deferred approval of the July 25, 1998 Minutes. Without objection, the Minutes of June 9, 1998 were unanimously approved.

3. **Consent Calendar.**

File No. FOC-005-98. Establishing ad hoc committee to develop logo for DEnv.
File No. FOC-006-98. Creating City-wide environmental publication. (At Commissioner Krefting's request, this item was referred to the Regular Calendar as item number 8.)
File No. FOC-007-98. Approving preparation of a proposal for weekly environmental indicators report.
File No. FOC-008-98. Cancelling Sustainable Development Forum.
File. No. 016-98-COE Goals & Priorities for FY 1998-99

Unanimously approved, 5-0.

REGULAR CALENDAR

4. **Chemical Exemption Requests** – None.

5. **Communications**

6. A. **Correspondence** – Letter from PODER requesting assistance in development of a children's park on a vacant, contaminated lot in the Mission District as part of its Mission Anti-Pollution Action Project (Proyecto MAPA). Commissioner Richardson suggested that the commission secretary consult with PODER representatives (who were present) regarding the specifics of their request for further reference to the Commission or another City body.

B. **Hearing on Wetlands Projects in San Francisco** – Commissioner Evans.

Ruth Gravanis presented a comprehensive overview of the history of wetlands in San Francisco, their current status, and plans for restoration projects. Her presentation included color slides of native species, plants and animals still populating the City as well depictions of various wetlands sites such as Mission Creek (Mission Bay), Islais Creek, Yosemite Creek, India Basin, and Treasure Island.

7. **File No. 015-98-COE – Amendment to Bylaws, Mission Statement.** Upon motion by Commissioner Evans unanimously approved 6-0.

8. **File No. FOC-006-98. Creating City-wide environmental publication.** Upon motion by Commissioner Richardson, unanimously (6-0) approved as amended.

9. **Finance & Operations Committee Report.** Chairperson Krefting reported that at its July 20, 1998 meeting the committee reviewed the final FY 1998-99 budget for the Department of the Environment and approved the resolutions on the Consent Calendar for this meeting. The next meeting will be Monday, August 17, 1998.

10. **Planning & Policy Committee Report.** Chairperson Evans reported a potential resolution on dioxin, public health, and the environment was discussed and put over to the next committee meeting for further discussion and possible consideration on Thursday, August 20, 1998.

11. **Director's Report.** Director Magilavy reported that the Integrated Pest Management program is moving along. Approximately 60 department heads and their deputies attended a meeting to apprise them of the requirements of the IPM ordinance. As a result, more than half the City departments have since submitted IPM plans and appointed IPM coordinators. DEnv is assisting other departments with their IPM budget requests and reviewing IPM staffing needs in other departments.

    Supervisor Katz has requested the City Attorney's Office to begin drafting legislation incorporating the recommendations of the antimicrobial pesticides report adopted by the Commission and authored by the Department. Work is continuing on compiling a list of environmental ordinances and resolutions approved by the Board of Supervisors (with the assistance of the City Attorney's Office). President Vietor and Director Magilavy have met with the Mayor's Fiscal Advisory Committee to begin reviewing the environmental functions of other City agencies for the purpose of preparing a report to Mayor Brown on possible re-organization of those functions under DEnv. The report will be completed by October-November so that budgetary implications of any recommendations may be ascertained. Regarding the progress of implementing the *Sustainability Plan for the City of San Francisco,* DEnv hopes to have a progress report by late fall. Sustainable San Francisco, a non-profit group, is assisting DEnv.

12. **President's Report.** President Vietor indicated that a possible resolution on dioxin may introduced in the August 20th meeting of the Planning and Policy Committee for consideration by the full Commission at its September 8th regular meeting. The president circulated a list of possible hearing topics to fellow commissioners for their feedback. Commissioner Eng was interested in alternative energy, particularly President Clinton's solar homes initiative. Commissioner Richardson was interested in Treasure Island and the future of PG&E's Potrero power plant.

13. **Other Business.** In accordance with the Bylaws' requirement for annual elections of officers, the Commission will take nominations for officers at its next meeting on September 8, 1998.

14. **Public Comment.** None.

15. **Adjournment.** The meeting was adjourned at 7:15 p.m.

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NOTICE OF MEETING AND AGENDA

TUESDAY, SEPTEMBER 8, 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

REGULAR SESSION
6: 00 P.M.

COMMISSIONERS

FRANCESCA VIETOR, PRESIDENT
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ANNE L. ENG
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(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

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ORDER OF BUSINESS
Tuesday, September 8, 1998
6 p.m.
Room 207, 401 Van Ness Avenue, San Francisco

1.	**Call to Order and Roll Call**	
2.	**Approval of Minutes of August 11, 1998**	**ACTION**
3.	**Consent Calendar**	**ACTION**
	REGULAR CALENDAR	
4.	**Chemical Exemption Requests** – None.	
5.	**Communications**	
	A. **Correspondence** – None.	**INFORMATION**
	B. **Hearing - Presidio of San Francisco – Overview & Priority Issues**	**INFORMATION**
6.	**File No. PPC-011-98 – Dioxin, Public Health, and the Environment**	**ACTION**
7.	**Nominations of Officers**	**ACTION**
8.	**Finance & Operations Committee Report**	**INFORMATION**
9.	**Planning & Policy Committee Report**	**INFORMATION**
10.	**Department Report**	**INFORMATION**
11.	**President's Report**	**INFORMATION**
12.	**Other Business**	**INFORMATION**
13.	**Public Comment**	
14.	**Adjournment**	

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File No. PPC-011-98 [Draft #8 , Adopted as Amended by PPC, August 27, 1998]

RESOLUTION FOR THE CITY OF SAN FRANCISCO: DIOXIN, PUBLIC HEALTH AND THE ENVIRONMENT

Whereas, the term dioxin represents a group of chemicals which includes furan and biphenyl compounds[1] with the most well-known dioxin, 2,3,7,8-TCDD, believed to be the single most carcinogenic chemical known to science[2];

Whereas, dioxin is a toxic waste byproduct that occurs when chlorinated waste is burned and when other organic chemicals that contain chlorine are manufactured and which in itself has no commercial or industrial use[1];

Whereas, dioxin is dangerous to human health, is ubiquitous in the worldwide environment[1] and is a known human carcinogen[3];

Whereas, the U.S. EPA estimates that the lifetime risk of getting cancer from dioxin exposure is above generally accepted safe levels[4], and the U.S. EPA's Dioxin Reassessment has found dioxin 300,000 times more potent as a carcinogen than DDT (the use of which was restricted in the U.S. in 1972)[5];

Whereas, dioxin is an endocrine disrupting chemical affecting thyroid and steroid hormones and almost every hormone system examined has been shown to be altered by dioxin in some cell-type, tissue or developmental stages[6],

Whereas, dioxin has been linked to endometriosis[7], immune system impairment, diabetes, neurotoxicity, birth defects (including fetal death), decreased fertility, testicular atrophy and reproductive dysfunction in both women and men[6,8];

Whereas, dioxin exposure is significant and universal; over 90% of human exposure to dioxin occurs through diet[9,10] and every person in the world now carries a "body burden" of dioxin[5,8];

Whereas, Americans ingest a daily amount of dioxin that is already 300-600 times higher than the EPA's so-called "safe" dose[5,8] and the U.S. EPA estimates that eating just a quarter pound of Bay fish daily causes cancer risks to increase to a level of nearly one in 1,000[11];

Whereas, San Francisco residents who consume fish from the Bay are at additional risk[12]; dioxin contamination in fish reaches health advisory levels throughout the San Francisco Bay[13]; and, San Francisco Bay fish consumers are predominantly low income and people of color[12];

Whereas, dioxin is found in the breast milk of women worldwide with the highest concentrations found in women from industrialized countries[14], and nursing infants take in 50-100 times more dioxin than adults due to drinking contaminated breast milk[15];

Whereas, respected expert associations and agencies including the California Medical Association[16], the American Public Health Association[17], the Chicago Medical Society[18] and the International Joint Commission[19], comprised of the governments of Canada and the U.S., have agreed upon the need to reduce or eliminate dioxin in the environment;

Whereas, dioxin has been detected in at least 27 measurements of treated waste water discharged from pollution sources in the Bay Area[20] and the San Francisco Bay Regional Water Quality

Control Board has resolved that dioxin is a high priority for immediate action to restore water quality and protect public health[21];

Whereas, sources of dioxin pollution include medical and hazardous waste incineration, the production of polyvinyl chloride (PVC) plastics, biomass combustion, diesel exhaust, pesticide manufacturing, paper production, oil refineries[22] (see attached table), and urban street runoff[23];

Whereas, the healthcare industry is one of the largest producers of dioxin in the United States[24], the only operating commercial medical waste incinerator in the state of California is located in the City of Oakland[25], San Francisco public health care institutions generate significant amounts of medical waste designated for Oakland's incinerator[26], and due to its proximity to San Francisco, the Oakland incinerator threatens or harms public health, fishing and aquatic life throughout San Francisco Bay[23,27];

Whereas, a strategy which eliminates the production of dioxin is the only viable course in protecting public health since once dioxin is produced, it is very difficult to destroy or degrade[19,27];

Whereas, adverse health effects from dioxin exposure can be reduced through purchasing decisions that reduce or eliminate products that produce dioxin (such as PVC-free plastic or chlorine-free paper); and alternative, less toxic options exist for many products that create dioixin[2],

Whereas, pollution prevention is recognized as the most effective waste management strategy[28];

Whereas, careful waste segregation has been proven to reduce dramatically the medical waste requiring incinceration[29] and cost-effective technologies which are alternatives to incineration exist for almost all the waste that does need special handling[30];

Whereas, dioxin is a clear threat to public health and the environment, zero exposure is the only strategy that truly protects public health[31], local dioxin contamination has a disproportionate impact on low-income and minority communities[32,33]; and dioxin exposure affects all residents of San Francisco and the Bay Area[34];

therefore, be it:

Resolved, that the Commission on the Environment intends by this resolution to eliminate dioxin; and be it

Further Resolved, that the Commission on the Environment urges the Board of Supervisors and the Mayor of the City and County of San Francisco to designate dioxin pollution as a high priority for immediate action to restore water quality and protect public health; and be it

Further Resolved, that the Commission on the Environment urges the Board of Supervisors to establish a task force which would identify the sources of local dioxin pollution, including sources known to and/or emitted from the Public Utilities Commission, the Public Transportation Department, as well as any and all other City department; this task force would *also* develop dioxin pollution prevention strategies along with any associated cost implications, and make any further recommendations to implement the intent of this resolution (the elimination of dioxin); and be it

Further Resolved, that the Commission on the Environment urges the Board of Supervisors to require dioxin pollution prevention practices to be a part of all waste management and recycling programs by City departments, hospitals, and businesses which operate in the City; and be it

Further Resolved, that the Commission on the Environment urges the Board of Supervisors to ensure that less-toxic, non-chlorinated, sustainable alternative products and processes, such as chlorine-free paper and PVC-free plastics, are actively supported and used by the City and County of San Francisco; and be it

Further Resolved, that the Commission on the Environment urges the Board of Supervisors to join it in urging the Department of Public Health to educate people who live and work in San Francisco, and others as appropriate, about the health and environmental effects of dioxin; and be it

Further Resolved, that the Commission on the Environment urges the Board of Supervisors to join it in urging the Department of Public Health to report to the Commission on the Environment and the Board of Supervisors how much it would cost and what it would take for San Francisco-based health care institutions to reduce PVC use and eventually become PVC-free; and be it

Further Resolved, that the Commission on the Environment urges the Mayor and the Board of Supervisors to send a letter to San Francisco-based health care institutions which are operated by the City and County of San Francisco, to encourage them to phase out the use of PVC products; and be it

Further Resolved, that the Commission on the Environment urges the Mayor and the Board of Supervisors to send a letter to the City of Oakland supporting zero-dioxin emission and zero-dioxin exposure and notifying the City of Oakland that the City and County of San Francisco has designated dioxin pollution as a high priority for immediate action to restore water and air quality and protect public health; and be it

Further Resolved, that the Commission on the Environment urges the Mayor and the Board of Supervisors to send a letter to the Bay Area Air Quality Management District (BAAQMD) supporting zero dioxin emission and zero dioxin exposure and urging the BAAQMD to eliminate dioxin pollution into the air; and be it

Further Resolved, that the Commission on the Environment urges the Mayor and the Board of Supervisors to send a letter encouraging the Regional Water Quality Board to exercise its full power and jurisdiction, as intended by the Porter-Cologne Water Quality Act and the federal Clean Water Act, to protect the quality of water from degradation and to implement a plan to phase out dioxin at its sources; and be it

Further Resolved, that the Commission on the Environment urges the Mayor and the Board of Supervisors to send a letter to the U.S. Environmental Protection Agency supporting its proposal to require community right to know reporting of dioxin releases and supporting the National Environmental Justice Advisory Committee's advice to make dioxin pollution of San Francisco Bay a high priority under Clean Water Act section 303(d).

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AN ESTIMATION OF DIOXIN EMISSIONS IN THE UNITED STATES

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(Received 14 December, 1994)

Table 1 Order of Magnitude Annual Emissions of Dioxin in the US (1989)
Asterisks indicate estimates based on emissions from similar sources

Emission Source (Numbers indicate number of facilities tested)	*Chlorine Content (ppm)*	*Emission Factor (μg/kg feed)*		*Material Consumed (kg/y)*	*PCDD/F Emissions (kg/y)*	
		Total	*TEQ*		*Total*	*TEQ*
Consumer Waste						
MSW Incinerators (18)	4,000	10	0.16	2×10^{10}	200	3
Hospital Incinerators (6)	10,000	20	0.35	2×10^{9}	40	0.7
Apartment Incinerators*	7,000	60	1	1×10^{9}	60	1
Open Garbage Burning*	7,000	60	1	$\sim 2 \times 10^{8}$	10	0.2
Sewage Sludge Incinerators (3)	1,600	1	0.02	3×10^{9}	4	0.07
Industrial Waste						
Hazardous Waste Incineration (35)	80,000	3	0.06	4×10^{9}	10	0.2
Copper Recycling (2)		20	0.3	7×10^{8}	10	0.2
Steel Recycling (9)		0.1	0.004	3×10^{10}	3	0.1
Steel Drum Reconditioning Furnaces (3)		30/drum	0.5/drum	4×10^{8} drum/y	0.1	0.002
Used Motor Oil Burners (2)		0.04	0.001	3×10^{9}	0.1	0.003
Bleached Pulp Production (3)	5,000	0.01	0.0002	3×10^{10}	0.4	0.007
Tire Fires (Uncontrolled)*		0.09	0.004	3×10^{8}	0.03	0.001
Carbon Regeneration (1)*		0.06	0.001	5×10^{7}	0.003	0.00005
Tire Incineration (Controlled) (1)		0.009	0.0004	3×10^{8}	0.003	0.0001
Biomass Combustion, etc.						
Forest and Agricultural Burning*	~ 1,000	0.4	0.004	8×10^{10}	30	0.3
Residential Wood Burning (3)	~ 100	0.4	0.004	5×10^{10}	20	0.2
Industrial Wood Combustion (4)	100–1,000	0.05	0.001	6×10^{10}	3	0.06
Structural Fires*	1,000	0.4	0.004	5×10^{9}	2	0.02
PCP-Treated Wood Combustion (1)	10,000	8	0.1	$\sim 1 \times 10^{9}$	1	0.02
PCB Fires*	500,000	1000	20	7×10^{5}	0.7	0.01
Cigarettes (1)	700	0.1	0.002	5×10^{9}	0.05	0.0008
Fossil Fuels						
Oil Combustion (except gasoline)*	~ 10	0.003	0.00005	5×10^{11}	1	0.01
Leaded Gasoline (5)	60	0.03	0.0005	3×10^{10}	1	0.02
Unleaded Gasoline (3)	10	0.003	0.00005	3×10^{11}	0.8	0.01
Coal Combustion (1)	200	0.001	0.00002	6×10^{11}	0.6	0.01
Dioxin-Contaminated Chemicals						
PCP Wood Preservative (to Air) (1)		2×10^{6}	2×10^{6}		10	0.1
2,4-D Herbicide (to Soil) (1)		200	0.2	$2\text{-}3 \times 10^{7}$	5	0.005
Tetrachloroethylene (to Air) (4)		10	0.1	3×10^{8}	3	0.03
Total				2×10^{12}	400	6.3

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION No. 015-98-COE **AUGUST 11, 1998**

[AMENDMENT TO BYLAWS, MISSION STATEMENT]

RESOLVED, That the Commission on the Environment amends Article II-Mission Statement, Section 1: The Commission on the Environment, as follows: The mission of the Commission on the Environment is to improve, enhance, and preserve the environment; and to promote San Francisco's long-term environmental sustainability as laid out in Section 4.118 of the City Charter.

I hereby certify that this resolution was adopted by the Commission on the Environment at its regular meeting of August 11, 1998.

_____
Christopher Chow
Commission Secretary

VOTE:
Ayes: *Commissioners Evans, Krefting, Okamoto, Richardson, Russell, and Vietor.*
Noes: *None.*
Absent: *Commissioner Eng.*

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

Resolution No. 016-98-COE **July 25, 1998**

[Goals & Priorities for FY 1998-99]

RESOLVED, That the Commission on the Environment promulgates the following: that the top two priorities for the Department of the Environment shall be

1) facilitating the Mayor's Office review of environmental functions of city agencies for possible re-organization; and
2) effectuating and centralizing the city-wide Integrated Pest Management (IPM) program under the Department of the Environment;

with additional programs with limited activities to include public outreach and education (specifically, seeking additional funding to improve and enhance the image of the Commission on the Environment and the Department of the Environment); high-performance buildings (formerly green buildings, which would include finalizing legislation and seeking funding for any additional activities); and special projects.

I hereby certify that this resolution was adopted by the Commission on the Environment at its meeting of August 11, 1998.

Christopher Chow
Commission Secretary

VOTE:

Ayes:	*Commissioners Evans, Krefting, Okamoto, Richardson, Russell, and Vietor.*
Noes:	*None.*
Absent:	*Commissioner Eng.*

Commission on the Environment

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION No. 017-98-COE AUGUST 11, 1998

[DEVELOP LOGO FOR DEPARTMENT OF THE ENVIRONMENT]

RESOLVED, That an *ad hoc* committee comprised of two commissioners appointed by the president of the Commission on the Environment, and the public outreach coordinator of the Department of the Environment, be established to develop a logo for the Department of the Environment.

I hereby certify that this resolution was adopted by the Commission on the Environment at its regular meeting of August 11, 1998.

Christopher Chow
Commission Secretary/Public Outreach Coordinator

VOTE:

Ayes:	*Commissioners Evans, Krefting, Richardson, Russell, and Vietor.*
Noes:	*None.*
Absent:	*Commissioners Eng and Okamoto.*

Commission on the Environment

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION No. 018-98-COE **August 11, 1998**

[APPROVING PREPARATION OF WEEKLY ENVIRONMENTAL REPORT PROPOSAL]

RESOLVED, That the Department of the Environment prepare a proposal to the United States Environmental Protection Agency for funding of a weekly environmental indicators report to be compiled and written by the Department of the Environment for public dissemination through the news media.

I hereby certify that this resolution was adopted by the Commission on the Environment at its regular meeting of August 11, 1998.

_____

Christopher Chow
Commission Secretary/Public Outreach Coordinator

VOTE:

Ayes:	*Commissioners Evans, Krefting, Richardson, Russell, and Vietor.*
Noes:	*None.*
Absent:	*Commissioners Eng and Okamoto.*

Commission on the Environment

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION No. 019-98-COE **August 11, 1998**

[CANCELLING SUSTAINABLE DEVELOPMENT FORUM]

RESOLVED, That the Commission on the Environment urges the Department of the Environment to cancel the Sustainable Development Forum and that the balance of the grant monies received for that project be returned to the Columbia Foundation.

I hereby certify that this resolution was adopted by the Commission on the Environment at its regular meeting of August 11, 1998.

_____
Christopher Chow
Commission Secretary/Public Outreach Coordinator

VOTE:
Ayes: *Commissioners Evans, Krefting, Richardson, Russell, and Vietor.*
Noes: *None.*
Absent: *Commissioners Eng and Okamoto.*

Commission on the Environment

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION No. 020-98-COE **August 11, 1998**

[Creating City-wide Environmental Publication]

RESOLVED, That the Department of the Environment shall pursue efforts to consolidate the newsletters of the City's various environmental functions into a periodical publication, with the intent to coordinate such a periodical if funding and other necessary conditions are in place.

I hereby certify that this resolution was adopted by the Commission on the Environment at its regular meeting of August 11, 1998.

_____
Christopher Chow
Commission Secretary/Public Outreach Coordinator

VOTE:

Ayes:	*Commissioners Evans, Krefting, Okamoto, Richardson, Russell, and Vietor.*
Noes	*None.*
Absent:	*Commissioner Eng*

Commission on the Environment

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DRAFT MINUTES
Tuesday, September 8, 1998

1. **Call to Order and Roll Call.** The meeting was called to order at 6:08 p.m. by President Vietor. Present were Commissioners Eng, Evans, Krefting, Okamoto, Richardson, and Russell.

2. **Minutes of August 11, 1998** were unanimously adopted upon motion by Commissioner Richardson.

3. **Consent Calendar** . There were no items on the Consent Calendar.

REGULAR CALENDAR

4. **Chemical Exemption Requests** – None.

5. **Communications**

   A. **Correspondence** – Commissioner Eng read a statement from the Commission commending former department director Beryl Magilavy for her service to San Francisco and the environment. The Commission received a copy of a letter by Agricultural Commissioner David Frieders and President Vietor informing all City department heads participating in the Integrated Pest Management Program that Beryl Magilavy had resigned as department director and that the Department of the Environment will continue to approve IPM plans from departments who have not yet submitted them, and that the Department of Agriculture will continue with technical assistance and training for all City employees.

   B. **Hearing - Presidio of San Francisco – Overview & Priority Issues.** This item was postponed pending the arrival of the speakers who were en route via public transit.

6. **File No. PPC-011-98 – Dioxin, Public Health, and the Environment.** Commissioner Richardson moved to adopt, seconded by Commissioner Russell. Commissioner Eng moved a set of proposed amendments, seconded by Commissioner Evans for purposes of discussion.

   President Vietor noted receipt of a letter from Ara Tahmassian, Director of the Office of Occupational and Environmental Health, University of California at San Francisco, requesting postponement of action on the dioxin resolution.

   Commissioner Richardson commented that "our goal is total elimination of dioxin"; and that the Commission is urging the City to take leadership in the debate. Commissioner Eng commented that one of the provisions of the resolution, calling for the establishment of a task force, would be a means to address UCSF's concerns.

   During the public comment period, Davis Baltz of Health Care Without Harm, commended the Commission for its initiative and urged adoption of the resolution, "we know it is a carcinogen, and a hormone-disrupting chemical."

   Glenn Takeoka a toxicologist with the California Department of Health Services commented that his agency was concerned about the Oakland medical waste incinerator and would be happy to participate in the task force.

   Larry Sweetser, Director of Regulatory Affairs for Norcal Waste Systems, Inc. (owner-operator of the Oakland medical waste incinerator) requested that action be deferred and offered to work with the Commission on this issue.

   Rome Aloise of Teamsters Local 853 commented that this resolution "continues the attack on this facility [Oakland medical waste incinerator] that test after test has found it safe for our workers." He urged the Commission to re-consider the resolution.

   Antonio Christian. also of Teamsters Local 853 also voiced opposition to any actions that might jeopardize the

jobs of his members at the Oakland medical waste incinerator.

Commissioner Evans offered the comment that the resolution will go before the Board of Supervisors and that there would be another opportunity for public comment.

The Commission adopted the amendments to the resolution by a vote of 6-0. The resolution was then adopted by a vote of 6-0 (Commissioner Vietor recused herself on both roll call votes).

5. B. **Presidio Hearing.** The hearing was resumed. Chris Desser, Co-Chair of the Presidio Alliance introduced the speakers:

Craig Middleton, Deputy Director of the Presidio Trust; Vivecka of the Urban Habitat Program; Laura Keresty, Executive Director of the Presidio Alliance who discussed transportation issues; and Greg Moore, Director of the Golden Gate National Parks Association; B.J. Griffin of the National Park Service could not attend because of an emergency.

The speakers apprised the Commission about current developments in the Presidio focusing on opportunities for leasing, employment for minorities, and public transportation needs. The Crissy Field-wetlands project, the Crissy Field Community Environmental Center, the Presidio General Management Plan, an environmental impact study, community involvement, Wherry housing, and the natural resources plan were discussed.

During the public comment period, Francisco Da Costa of the Muwekma Ohlone Nation asked that sacred sites in the Presidio, particularly the burial grounds at the Crissy Fields project area, be preserved and respected. Diana Scott, a member of the public, expressed concern that the timelines for public comment and input on the Presidio Trust's plans are very tight and inflexible and that there is no real oversight on the Presidio.

7. **Nominations of Officers.** President Vietor indicated that the process did not mandate actual nominations, but that this was the time for expressions of interest to serve as officers by members of the Commission. Commissioner Richardson expressed an interest in having Commissioner Vietor continue as president. President Vietor and Vice President Krefting each expressed interest in returning for another term in their respective offices. Election of officers will be calendared for the next regular meeting.

8. **Finance & Operations Committee Report.** Because there was no quorum at its regular meeting on August 17, the Finance and Operations Committee did not meet.

9. **Planning & Policy Committee Report.** Chairperson Evans reported that the PPC's main product at its last regular meeting was the dioxin resolution (PPC-011-98) and a discussion of the transition process for a new director. Because of the lateness of the hour, a biodiversity resolution was put off to the next meeting.

10. **Department Report – None.**

11. **President's Report** . President Vietor announced that appointments to a logo development committee would be deferred pending the new director coming on board. In hopes of being able to offer three names of nominees to the Mayor by November, the Commission scheduled a special meeting at 9 a.m., on Saturday, September 26, 1998.

12. **Other Business.** Vice President Krefting urged people to attend a hearing on September 23, 1998 in the Seacliff Room at the Sheraton Palace Hotel from 2- 9 p.m. to comment on a federal agency's plan for managing buffalo wandering outsideYellowstone National Park to forage for survival.

13. **Public Comment.** Ruth Gravanis mentioned there are a few loose threads from the biodiversity hearing, specifically introduction and adoption of resolutions relating to the Open Space Advisory Committee and the Natural Area Acquisition Fund.

14. **Adjournment.** The meeting was adjourned at 8:13 p.m.

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NOTICE OF CANCELLATION OF SPECIAL MEETING

THE SPECIAL MEETING OF THE COMMISSION ON THE ENVIRONMENT
SCHEDULED FOR
SATURDAY, SEPTEMBER 26, 1998
6:00 P.M.

IN ROOM 207, 401 VAN NESS AVENUE, SAN FRANCISCO, CALIFORNIA

HAS BEEN CANCELLED.

CHRISTOPHER CHOW
COMMISSION SECRETARY

1540 MARKET STREET, SUITE 160, SAN FRANCISCO, CALIFORNIA 94102
PHONE 415-554-6390 · FAX 554-6393

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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NOTICE OF MEETING AND AGENDA

TUESDAY, OCTOBER 13 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

REGULAR SESSION
6: 00 P.M.

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COMMISSION SECRETARY

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ACCESSIBLE MEETING INFORMATION

Air Quality

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help t City accommodate these individuals. [Section 67.15 of the San Francisco Administrative Code, Sunshine Ordinance.]

Public Transportation

The closest BART station serving 401 Van Ness Avenue is the Civic Center station.

Accessibility of Meeting Location

The meeting room is accessible by wheelchair. The closest accessible BART station is Civic Cen four blocks from the Veterans Building. Accessible MUNI lines serving this location are the #42 Downtown Loop, #71 Haight/Noriega, the F-line to Market and Van Ness, and the MUNI Metro stations at Van Ness and Market and Civic Center. For more information about MUNI accessible services, please call 923-6142.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

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(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE LEE ENG
REBECCA EVANS

PAUL OKAMOTO
LINDA RICHARDSON
CHRISTINE H. RUSSELL

ORDER OF BUSINESS
Tuesday, October 13, 1998
6 p.m
Room 207, 401 Van Ness Avenue, San Francisco

1.	Call to Order and Roll Call	
2.	Approval of Minutes of September 8, 1998	ACTION
3.	Consent Calendar - None.	ACTION
	REGULAR CALENDAR	
4.	Chemical Exemption Requests – None.	ACTION
5.	Communications	
	A. Correspondence –	ACTION
	1) Board of Supervisors Resolution 98-0993 (Tree Removal from City Property	
	2) Letter In Support of David Graves' Wildlife Corridor	
	B. Hearing – Presentation on Reviewing the City & County's Environmental Functions by the Municipal Fiscal Advisory Committee (MFAC)	INFORMATION
	C. Progress Report on Resource Efficient Buildings Legislation	INFORMATION
6.	File No. PPC-012-98 Resolution Urging Propagation of Plants Beneficial to Wildlife	ACTION
7.	File No. 022-98-COE Resolution on Task Force Review of Antimicrobial Agents (IPM Program)	ACTION
8.	File No. PPC-013-98 Resolution on Presidio Transportation	ACTION
9.	Finance & Operations Committee Report	INFORMATION
10.	Planning & Policy Committee Report	INFORMATION
11.	Department Report	INFORMATION
12.	President's Report	INFORMATION
13.	Election of Officers of the Commission	ACTION
14.	Other Business	INFORMATION
15.	Public Comment	INFORMATION
16.	Adjournment	

FILE NO. 98-0993 RESOLUTION NO. 722-98

[Tree Removal from City Property]

URGING ALL CITY AGENCIES, COMMISSIONS, AND DEPARTMENTS TO ADOPT NOTICE AND APPEAL PROCEDURES FOR THE REMOVAL OF TREES THAT ARE VISIBLE FROM THE PUBLIC RIGHT-OF-WAY AND TO SUBMIT REPORTS DESCRIBING METHODS OF COMPLIANCE WITH THIS RESOLUTION TO THE COMMISSION ON THE ENVIRONMENT

WHEREAS, There a numerous trees visible from the public right-of-way, including streets, sidewalks, and other public places, that are located on property under the jurisdiction of various City agencies, commissions, and departments; and,

WHEREAS, Such trees are an important source of civic pride, provide a visual and aesthetic amenity, buffer urban noises, and help to filter air pollution; and,

WHEREAS, The removal of such trees eliminates an important resource from San Francisco's urban environment; and,

WHEREAS, Removal of such trees is a great interest to the City and County of San Francisco and its citizens, businesses, and visitors; and,

WHEREAS, Removal of such trees is often performed without notice to and input from the public, now, therefore, be it

RESOLVED, That the Board of Supervisors urges all City agencies, commissions, and departments to adopt notice and appeal procedures for removal of trees that are visible from the public right-of-way on property under the jurisdiction of the respective City agency, commission, or department; and, be it

FURTHER RESOLVED, The Board of Supervisors requests that all such City entities submit reports that describe the methods of compliance with this Resolution to the Commission on the Environment

SUPERVISORS KATZ, BIERMAN, YAKI, AND LENO
BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco September 14, 1998

Ayes: Supervisors Ammiano Bierman Brown Katz Leno Medina Newsom Teng Yaki

Noes: Supervisor Kaufman

Absent: Supervisor Yee

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0993

SEP 18 1998
Date Approved

Mayor

Post-it® Fax Note 7671	Date 9-21-98	# of pages ▶ 1
To CHRIS CHOW	From BD OF SUPS	
Co./Dept	Co	
Phone #	Phone # 554-5184	
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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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October 13, 1998

Mr. Jim Sayer
Executive Director
Greenbelt Alliance
116 New Montgomery Street, Suite 640
San Francisco, California 94105

Dear Mr. Sayer:

I am writing on behalf of the Commission on the Environment, City and County of San Francisco in support of David Graves, Franciscan Wildlife Corridor Alliance, who has appeared before this Commission to give a presentation of his project linking McLaren Park with San Bruno Mountain.

The Commission members were very impressed with David's commitment to the corridor idea, his knowledge of the concept, and his ability to educate the general public on the importance of establishing corridors within an urban setting.

David was also instrumental in helping to draft the recommendations contained in the *Sustainability Plan for the City of San Francisco*. Foremost among the recommendations of that plan was the corridor concept, utilizing greenways throughout San Francisco in order to insure the preservation of biodiversity, the core of the city's natural history heritage.

We on the Commission solidly endorse David's work and encourage your organization to support his endeavors however appropriate. Please feel free to call upon me if you have any questions concerning our recommendation or need additional iinformation.

Sincerely,

Francesca Vietor
President

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[File No. PPC-012-98]

DRAFT RESOLUTION URGING CITY NURSERIES TO PROPAGATE PLANTS BENEFICIAL TO WILDLIFE

Whereas, one of the goals of the City's Sustainability Plan, adopted by the San Francisco Board of Supervisors, is "to maximize habitat value in developed and naturalistic areas, both public and private";

Whereas, the presence of wildlife enriches our lives;

Whereas, the base of the food web which supports the earth's biodiversity is the plant kingdom; and

Whereas, some species of plants are more beneficial than others in providing food, cover, and nesting material to local wildlife;

therefore, be it

Resolved, that the Commission on the Environment urges the Recreation and Park Commission and the Recreation and Park Department to encourage City nurseries to propagate, or contract with others to propagate, plants which: a)are known to be of value to local wildlife, b)known to grow well in San Francisco and c) are non-invasive; and, be it

Further Resolved, that the Commission on the Environment urges the Recreation and Park Department and the Department of Public Works to make these plants available to all City gardeners, along with information about their appropriate locations, growing conditions and maintenance; and, be it

Further Resolved, that the Commission on the Environment urges the Recreation and Park Department to encourage all City gardeners to select plants which promote biodiversity and reduce maintenance needs; and, be it

Further Resolved, that the Commission on the Environment urges the Recreation and Park Department and the Department of Public Works to make any plants excess to the needs of public parks or landscapes available to the public for use in private yards and setbacks; and be it

Further Resolved, that the Commission on the Environment urges the Recreation and Park Department to consult with the Audubon Society, California Native Plant Society, North American Butterfly Association and other experts in ecology in identifying a list of plant species to be propagated utilizing the criteria that:

Any plants to be used in designated Significant Natural Resource Management Areas should come from native plants, propagated from naturally occurring plants growing as close to the site as possible, and planting plans should be approved by the City's Natural Areas Management Team (Recreation and Park Department).

PPC-013-98 Presidio Transportation Resolution

WHEREAS, San Francisco is a "transit first" city; and

WHEREAS, a sustainable city is one in which forms of mass transit are more environmentally friendly than the automobile; and

WHEREAS, the Presidio National Park has already applied for funds for alternative fuel vehicles to provide transportation from BART to Presidio jobs; and

WHEREAS, the Presidio National Park is and will continue to be a major employment center in the San Francisco Bay Region; and

WHEREAS, jobs will be available with the Presidio Trust and with Presidio tenants, large and small;

WHEREAS, the Presidio National Park is a major recreational destination in the San Francisco Bay Area and California;

WHEREAS, the natural areas of the Presidio and San Francisco neighborhoods should be protected from the adverse effects of private automobile traffic wherever possible; and

WHEREAS, the Presidio is not well served by public transportation (either local or regional); now, therefore be it

RESOLVED, that the Commission on the Environment urges the San Francisco Board of Supervisors and the Mayor to improve public transportation access to the Presidio by the Municipal Railway; and, be it

FURTHER RESOLVED, that the Commission on the Environment urges the Board of Supervisors and the Mayor to work through the Metropolitan Transportation Commission , and if appropriate, state legislators to improve transportation access to the Presidio; and be it

FURTHER RESOLVED, that the proposed improvements shall be in concert with the Presidio Trust, Presidio tenants, Presidio neighbors, the National Park Service and the larger community.

FILE NO. 022-98-COE

Resolution Urging Task Force Review of Antimicrobial Agents (Eng) [10-5-98]

WHEREAS, Chapter 39 of the City of San Francisco Administrative Code directs the Commission on the Environment to make a recommendation to the Board of Supervisors on whether, and if so to what extent, the City should include antimicrobial agents in its Integrated Pest Management (IPM) policy;

WHEREAS, after consideration and discussion, the Commission on the Environment would like to replace the IPM-related resolution adopted by the Commission on June 9, 1998 (File No. 014-90-COE) with the following resolution; THEREFORE BE IT

RESOLVED, that the Commission on the Environment recommends that antimicrobial agents should be included in the City's IPM policy; and be it

FURTHER RESOLVED, that the Commission on the Environment recommends the following extent of inclusion:

a) That the definition of antimicrobial agents be: "products that are registered with the United States Environmental Protection Agency (US EPA) as pesticides that are used to kill microbes";

b) That antimicrobial uses that were granted blanket exemptions under Chapter 39 continue to be exempted;

c) That blanket exemptions be extended to cover antimicrobial uses to control pathogenic microorganisms in the treatment of water and facility heating, ventilation and air conditioning (HVAC) cooling water systems and public fountains, in addition to the existing blanket exemption for antimicrobial uses in drinking water treatment plants, wastewater treatment facilities, public swimming pools and health care facilities;

d) That for all other antimicrobial agents that were originally exempted from the ordinance only until January 1, 1999, that such antimicrobial agents continue to be exempted for one additional year, until January 1, 2000; and be it

FURTHER RESOLVED, that the Commission on the Environment establish a task force which would evaluate the City's current use of antimicrobial agents and identify recommendations on less-toxic alternatives to reduce antimicrobial uses consistent with public health and safety; and be it

FURTHER RESOLVED, that the Commission on the Environment urges the Board of Supervisors to direct the City's departments, agencies and programs to work cooperatively with the Department of the Environment and the task force to develop recommendations to reduce antimicrobial uses; and be it

FURTHER RESOLVED, that the Department of the Environment work with the task force and coordinate with the Toxics Reduction Program to develop preliminary and practical recommendations for submission to the Commission by September 1, 1999, regarding possible ways in which the City can reduce antimicrobial uses.

COMMISSION ON THE ENVIRONMENT
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DRAFT MINUTES
Tuesday, October 13, 1998

1. **Call to Order and Roll Call.** The meeting was called to order at 6:10 p.m. by President Vietor. Present were Commissioners Eng, Evans, Krefting, Okamoto, Richardson, and Russell.

2. **Approval of Minutes of September 8, 1998..** Upon motion by Commissioner Russell the Minutes were unanimously adopted as amended.

3. **Consent Calendar** - None.

REGULAR CALENDAR

4. **Chemical Exemption Requests** – None.

5. **Communications**

   A. **Correspondence –**
      1) **Board of Supervisors Resolution 98—0993 (Tree Removal from City Property).** Receipt of the resolution was acknowledged.

      2) **Letter to Greenbelt Alliance to David Graves' Wildlife Corridor Proposal.** Adopted without objection.

   B. **Hearing – Presentation on Reviewing City's Environmental Functions by Sandy Stadtfeld of Booz Allen & Hamilton, Inc. representing the Municipal Fiscal Advisory Committee (MFAC).** Deferred pending arrival of an overhead projector.

   C. **Progress Report on Resource Efficient Buildings Legislation.** Deferred pending the arrival of Brad Benson, legislative assistant to Supervisor Tom Ammiano.

6. **Election of Officers of the Commission**. This item was taken out of order by President Vietor. Upon motion by Commissioner Evans, Francesca Vietor and Steven Krefting were each unanimously re-elected (6-0) to new terms respectively as President and Vice President of the Commission on the Environment.

7. **File No. 022-98-COE Resolution Urging Review of Antimicrobial Pesticides.** Following comments by Integrated Pest Management Program Coordinator Al Hom and Deputy City Attorney Rona Sandler sketching the background for this resolution, the item was unanimously adopted as amended upon motion by Commissioner Evans.

8. **Resource Efficient Buildings briefing.** In the absence of Brad Benson, Commissioner Okamoto summarized the purpose and provisions of the legislation to establish resource efficient building guidelines for City construction projects and a pilot program to demonstrate the benefits of resource efficient building techniques. The legislation, in two parts, would designate the Commission on the Environment as the City's review body and the Department of the Environment as the lead agency of an inter-departmental working group. No date for introduction to the Board of Supervisors by Supervisor Ammiano has been set as of yet. Commissioner Eng expressed the hope that someday the Commission and the Department of the Environment would be housed in a green building exemplifying resource efficient building designs, construction techniques, and features.

9. **022-98-COE (File No. PPC-012-98) Resolution Urging Propagation of Plants Beneficial to Wildlife.** Following discussion affirming the intent of the resolution to ascertain the extent of attainment of the Recreation and Park Department's planting policies and to offer assistance towards implementation of those policies, the item was unanimously adopted upon motion by Commissioner Evans.

10. **Finance & Operations Committee Report.** Chairperson Krefting reported on two items: the Annual Report and the Weekly Environmental Indicators Report project proposal. Commissioner Krefting recommended that the Department proceed with printing with the Annual Report. Commissioner Richardson requested that a letter be written and sent to Mr. Eick von Ruschkowski, commending the university intern from Germany for his fine work on developing the weekly environmental indicators report project proposal.

11. **Hearing – Presentation on Reviewing City's Environmental Functions.** Sandy Stadtfeld , MFAC Team Leader from the management consulting firm of Booz Allen & Hamilton, Inc., and Lee Munson, Vice Chair of MFAC and a member of the San Francisco Civil Service Commission, represented the Municipal Fiscal Advisory Committee, the body undertaking the city-wide review.

Mr. Stadtfeld described the study group's task as "reviewing the department functions and suggesting some changes that might be adopted by the Commission to develop a better working relationship between the Department of the Environment and other city departments.

"We find that we are talking about an agency that has very broad functions, very broad responsibilities, but there's very little definition of actual day-to-day functional relationships with the other departments. That seems to be the cause of the problem here.

"We've reviewed the 1995 City Charter language, the Mission Statement for the Commission on the Environment and the 1998-99 budget. Again, we find a department for which broad goals, broad responsibilities and cursory relationships are defined. But the actual mechanics of how it works with all the other departments is very poorly defined.

"What we will be trying to come up with through our study will be a clearer definition of the department's functions and its relationship with other departments in city government, with regulatory agencies, with public entities, e.g. Sierra Club, Friends of the Urban Forest, SPUR, and the general public.

"We're prescribing a three-step approach to this very qualitative assessment of the department's functions. We're not going out with quantitative performance measures per se, but we're working with city departments, with the commissioners, with other agencies to determine what the best functions of the city are, what functions are *not* contained within the Department today that could be and what roles might be better defined.

"In the first stage, which we're calling reconnaissance, we're going out quietly amongst all the city departments and all the individual commissioners, among stakeholder groups throughout the community, and amongst members of the public to assess their view of the role of the Department of the Environment and how they might be better served.

"In the second phase, the study group will develop some hypotheses of what should be done to improve the relationships of the Department with other city agencies, and to test those with smaller groups of interviewees. We're not going to go back to all of the 30-or so people that we interviewed in the first stage. Based on the reactions of those interviewees we'll go back and formulate some recommendations which we'll then put together in a draft report, take it back out to the smaller stable of interviewees and use their approval or disapproval of those various recommendations to formulate a final report which will be faxed to the Commission.

"The draft recommendations will focus on the organization of the department, its functional relationships with other agencies, and possibly instruments for assessing its performance. One of the things we found lacking in the description of the department's role is a way of assessing whether it's doing its job or whether in fact the environmental state of the city is being improved or maintained by the departments [sic] of the city."

Mr. Stadtfeld said the projected 5-month long project would be based on interviews with the Commissioners and numerous other stakeholders representing the various environmental agencies of city government as well.

The first phase report would be completed December 1st. "We will work out, develop our hypotheses throughout December and our interim report by mid-December and January and make our recommendations to the Commission by the end of February."

The committee had just completed an interview with City Administrator Bill Lee four days before.

Commissioner Eng commented that "it has been public knowledge that this department has very limited resources and that's why we defined our powers and goals broadly. I thought the process was not so much having 30 - 40 stakeholder

representatives look at *us* but having us look at everybody else and seeing how effective they're operating, and what could we do to help coordinate their services, versus their trying to analyze who we are. We're in a developmental stage."

Lee Munson added that MFAC's view is that " we have to look at what works together and that's why we're getting the views of the stakeholders and the policymakers."

Mr. Stadtfeld added that roughly, the timeline for this project sets mid-January, 1999 for submittal of an interim report and February for the final report. Copies would go to the Commission, the Mayor, and his senior staff.

Mr. Munson commented that MFAC wants to find out what other agencies are doing related to the environment and ascertain what resources are available. He said the first phone interviews will include the Commissioners.

In response to Commissioner Okamoto's question "How is this connected to the departments and the Mayor?" Mr. Stadtfeld said, "We're looking at the environmental functions chiefly among five departments: PUC, Public Health, Agriculture, Solid Waste, and Public Works."

Deputy City Attorney Sandler commented that the mandate of the Commission and the Department is set by the City Charter and can only be changed by the voters.

Mr. Stadtfeld surmised that "If we were to find environmental functions are duplicated among five different departments, they could be consolidated within the Department of the Environment but [sic] that they could represent a 50% increase in the department's budget, we'd think that would be a sound recommendation ... that's recommending a change in structure and the financial department."

Mr. Munson assured the Commission that Booz Allen & Hamilton, Inc., has an excellent environmental management record., and that the study group's job is to be "professional researchers who are experienced in organizational management."

Commissioner Evans responded that she was "pleased that such a highly respected firm is involved."

10. **024-98-COE (File No. PPC-013-98) Resolution on Presidio Transportation.** A member of the public, Mr. William Hough, executive director of the Resource Center for the United Nations in the Presidio, voiced his strong support for the resolution and expressed hope that this would result in better public transit service in, to, and around the Presidio National Park. He added that the resources of Golden Gate Transit are being wasted. President Vietor this resolution was particularly timely because the Board's Economic Development, Transportation, and Technology Commmittee was conducting a hearing October 20 on City services related to the Presidio. Upon motion by Commissioner Evans, this item was unanimously adopted.

11. **Planning & Policy Committee Report.** Chairperson Evans thanked Ruth Gravanis and David Graves and others from the environmental community for their contributions to drafting the resolutions on presidio transportation and native plants beneficial to wildlife. She also announced that next month's commission hearing will be on the proposed expansion of the runways at San Francisco International Airport.

12. **Department Report.** President Vietor thanked Secretary Chow for his report on the Department's work during the past two months.

13, **President's Report.** President Vietor recused herself from any discussion of the department director position search because of her own candidacy and announced that Commissioner Eng would be spearheading the selection process with the assistance of Deputy City Attorney Sandler.

Commissioner Eng then announced that Vice President Krefting had called a special meeting of the Commission at 6:30 p.m. Thursday, October 22, 1998 to discuss procedures for reviewing applications for the director position. She also said this would be followed by a closed session to discuss personnel matters, including the director applications.

14. **Other Business.** None.

15. **Public Comment.** Ruth Gravanis commented that the Parks Plan, a report of the San Francisco Community Parks Task Force prepared by the Neighborhood Parks Council and San Francisco Planning and Urban Research (SPUR), in all its 32 pages, mentions not one word about the environment or sustainability.

16. **Adjournment.** The meeting was adjourned at 8:05 p.m.

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

FRANCESCA VIETOR, PRESIDENT
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NOTICE & AGENDA

SPECIAL MEETING

Thursday, October 22, 1998
6:30* p.m.

Room 430*, War Memorial Performing Arts Center
401 Van Ness Avenue
San Francisco, California 94102

1. **Call to Order and Roll Call**
2. **Communications** — **INFORMATION**
3. **Other Business/Public Comment** — **INFORMATION**
4. **Public comments on matters to be discussed in closed session**

CLOSED SESSION

THE COMMISSION ON THE ENVIRONMENT WILL GO INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 AND SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(B) TO DISCUSS AND POSSIBLY TAKE ACTION ON THE FOLLOWING:

5. **Review of Personnel Matters including Applications for Department Director Position** — **ACTION**
6. **RETURN TO OPEN SESSION - Discussion and vote on whether to disclose discussion held in closed session**
7. **Disclosure of any action taken to appoint, employ, dismiss, transfer, or accept resignation**
8. **Adjournment**

*Not the regular meeting time and/or place.

1540 MARKET STREET, SAN FRANCISCO, CALIFORNIA 94102
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ACCESSIBLE MEETING INFORMATION

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Public Transportation

The closest BART station serving 401 Van Ness Avenue is the Civic Center station.

Accessibility of Meeting Location

The meeting room is accessible by wheelchair. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are the #42 Downtown Loop, #71 Haight/Noriega, the F-line to Market and Van Ness, and the MUNI Metro stations at Van Ness and Market and Civic Center. For more information about MUNI accessible services, please call 923-6142.

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(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

COMMISSION ON THE ENVIRONMENT
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DRAFT MINUTES

SPECIAL MEETING

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Thursday, October 22, 1998
6:30* p.m.

Room 430*, War Memorial Performing Arts Center
401 Van Ness Avenue
San Francisco, California 94102

1. **Call to Order and Roll Call.** At 6:41 p.m., Vice President Steven Krefting called the meeting to order. Commissioners Eng, Evans, and Krefting were present.

2. **Adjournment.** Following a grace period of ten minutes, and lacking a quorum, the meeting was adjourned at 6:51 p.m.

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NOTICE & AGENDA

SPECIAL MEETING

Saturday, October 31, 1998

9:30 AM

Room 430*, 401 Van Ness Avenue
San Francisco, California 94102

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1. **Call to Order and Roll Call**

2. **Communications** — **INFORMATION**

3. **Other Business/Public Comment** — **INFORMATION**

4. **CLOSED SESSION**

THE COMMISSION ON THE ENVIRONMENT WILL GO INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 AND SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(B) TO DISCUSS AND POSSIBLY TAKE ACTION ON THE FOLLOWING:

Review of Personnel Matters including Interviews for Department Director Position — **ACTION**

5. **RETURN TO OPEN SESSION - Discussion and vote on whether to disclose discussion held in closed session** — **ACTION**

6. **Disclosure of any action taken to appoint, employ, dismiss, transfer, or accept resignation** — **INFORMATION**

7. **Adjournment**

*Not the regular meeting time and/or place.

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FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE LEE ENG
REBECCA EVANS

PAUL OKAMOTO
LINDA RICHARDSON
CHRISTINE RUSSELL

DRAFT MINUTES

SPECIAL MEETING

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Saturday, October 31, 1998

Room 430*, 401 Van Ness Avenue
San Francisco, California 94102

1. **Call to Order and Roll Call.** Vice President Steven Krefting called the special meeting to order at 9:45 a.m. Present were Commissioners Eng, Evans, Richardson, and Russell. Absent was Commissioner Okamoto. Commissioner Vietor was recused.

2. **Communications.** None.

3. **Other Business/Public Comment.** None.

4. **CLOSED SESSION**

   THE COMMISSION ON THE ENVIRONMENT WENT INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 AND SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(B) TO DISCUSS: Personnel matters including interviewing candidates for the position of Director of the Department of the Environment.

5. **RETURN TO OPEN SESSION** - The Commission voted not to disclose the discussion held in closed session.

6. **Disclosure of any action taken to appoint, employ, dismiss, transfer, or accept resignation.** None.

7. **Adjournment.** The special meeting was adjourned at 11 a.m.

*Not the regular meeting time and/or place.

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
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NOTICE & AGENDA

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SPECIAL MEETING

Thursday, November 5, 1998
6 PM
Room 430*, War Memorial & Performing Arts Center
401 Van Ness Avenue
San Francisco, California

1. **Call to Order and Roll Call**

2. **Communications** — **INFORMATION**

3. **Other Business/Public Comment** — **INFORMATION**

4. **CLOSED SESSION**

THE COMMISSION ON THE ENVIRONMENT WILL GO INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 AND SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(B) TO DISCUSS AND POSSIBLY TAKE ACTION ON THE FOLLOWING:

Review of Personnel Matters including
Interviews for Department Director Position — **ACTION**

6. **RETURN TO OPEN SESSION - Discussion and vote on whether to disclose discussion held in closed session**

7. **Disclosure of any action taken to appoint, employ, dismiss, transfer, or accept resignation**

8. **Adjournment**

*Not the regular meeting time and/or place.

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ACCESSIBLE MEETING INFORMATION

Air Quality

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals. [Section 67.15 of the San Francisco Administrative Code, Sunshine Ordinance.]

Public Transportation

The closest BART station serving 401 Van Ness Avenue is the Civic Center station.

Accessibility of Meeting Location

The meeting room is accessible by wheelchair. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are the #42 Downtown Loop, #71 Haight/Noriega, the F-line to Market and Van Ness, and the MUNI Metro stations at Van Ness and Market and Civic Center. For more information about MUNI accessible services, please call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial complex.

Large print agendas, audio tapes of minutes, sound-enhancement equipment, and other services to aid the visually and hearing-impaired to attend the meeting are available by calling 554-6390.

Statement of Nondiscrimination

The Commission on the Environment does not discriminate on the basis of disability in employment or in the admission and access to its programs or activities.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

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LINDA RICHARDSON
CHRISTINE RUSSELL

DRAFT MINUTES
SPECIAL MEETING

Thursday, November 5, 1998
Room 430*, 401 Van Ness Avenue
San Francisco, California

1. Call to Order and Roll Call. The meeting was called to order at 6:15 p.m. by Vice President Krefting. Present were Commissioners Eng, Evans, Okamoto, Richardson, and Russell. Commissioner Vietor was recused.

2. Communications. None.

3. Other Business/Public Comment. None.

4. CLOSED SESSION

   The Commission on the Environment went into closed session pursuant to Government Code Section 54957 and Sa Francisco Administrative Code Section 67.10(b) to discuss personnel matters, including interviewing candidates for department director position.

6. RETURN TO OPEN SESSION - The Commission unanimously voted not to disclose the discussion held in closed session.

7. Disclosure of any action taken to appoint, employ, dismiss, transfer, or accept resignation. None.

8. Adjournment. The meeting was adjourned at 8:30 p.m.

*Not the regular meeting time and/or place.

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NOTICE OF MEETING AND AGENDA

TUESDAY, NOVEMBER 10, 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

REGULAR SESSION
6: 00 P.M.

COMMISSIONERS

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE L. ENG
REBECCA EVANS
PAUL C. OKAMOTO
LINDA RICHARDSON
CHRISTINE H. RUSSELL

CHRISTOPHER CHOW
COMMISSION SECRETARY

RONA SANDLER
DEPUTY CITY ATTORNEY

1540 MARKET STREET, SUITE 160, SAN FRANCISCO, CALIFORNIA 94102
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(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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ORDER OF BUSINESS
Tuesday, November 10, 1998
6 p.m.
Room 207, 401 Van Ness Avenue, San Francisco

1.	**Call to Order and Roll Call**	
2.	**Approval of Minutes of October 13, 1998**	**ACTION**
3.	**Consent Calendar** - None.	**ACTION**
	REGULAR CALENDAR	
4.	**Chemical Exemption Requests** – None.	**ACTION**
5.	**Communications**	
	A. **Correspondence** – Letter from Agricultural Commissioner David Frieders Concurring with Resolution No. 022-98-COE Urging Antimicrobials Review	**INFORMATION**
	B. **Hearing – None.**	**INFORMATION**
6.	**Finance & Operations Committee Report**	**INFORMATION**
7.	**Planning & Policy Committee Report**	**INFORMATION**
8.	**Department Report** Re: IPM progress, Public Outreach, Sustainability Planning, Draft Legislation on Green Buildings, Environmentally Preferred Purchasing	**INFORMATION**
9.	**President's Announcements**	**INFORMATION**
10.	**Update on Director Search**	**ACTION**
11.	**Other Business**	**INFORMATION**
12.	**Public Comment**	**INFORMATION**
13.	**Adjournment**	

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COMMISSION ON THE ENVIRONMENT
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RESOLUTION NO. 022-98-COE **October 13, 1998**

[ANTIMICROBIALS REVIEW]

URGING REVIEW OF ANTIMICROBIAL AGENTS

WHEREAS, Chapter 39 of the City of San Francisco Administrative Code directs the Commission on the Environment to make a recommendation to the Board of Supervisors on whether, and if so to what extent, the City should include antimicrobial agents in its Integrated Pest Management (IPM) policy; and

WHEREAS, after consideration and discussion, the Commission on the Environment would like to replace the IPM-related resolution adopted by the Commission on June 9, 1998 (File No. 014-98-COE) with the following resolution; and

WHEREAS, a staff report was submitted to the Board of Supervisors along with the earlier IPM-related resolution; therefore, be it

RESOLVED, that the Commission on the Environment recommends that antimicrobial agents should be included in the City's IPM policy; and be it

FURTHER RESOLVED, that the Commission on the Environment recommends the following extent of inclusion:

a) That the definition of antimicrobial agents be: "products that are registered with the United States Environmental Protection Agency (US EPA) as pesticides that are used to kill microbes";

b) That antimicrobial uses that were granted blanket exemptions under Chapter 39 continue to be exempted;

c) That blanket exemptions be extended to cover antimicrobial uses to control pathogenic microorganisms in the treatment of water and facility heating, ventilation and air conditioning (HVAC) cooling water systems and public fountains, in addition

to the existing blanket exemption for antimicrobial uses in drinking water treatment plants, wastewater treatment facilities, public swimming pools and health care facilities;

d) That for all other antimicrobial agents that were originally exempted from the ordinance only until January 1, 1999, that such antimicrobial agents continue to be exempted for one additional year, until January 1, 2000; and be it

FURTHER RESOLVED, that the Commission on the Environment evaluate the City's current use of antimicrobial agents and identify recommendations on less-toxic alternatives to reduce antimicrobial uses consistent with public health and safety; and be it

FURTHER RESOLVED, that the Commission on the Environment urges the Board of Supervisors to direct the City's departments, agencies and programs to work cooperatively with the Department of the Environment to develop recommendations to reduce antimicrobial uses; and be it

FURTHER RESOLVED, that the Department of the Environment coordinate with the Toxics Reduction Program to develop preliminary and practical recommendations for submission to the Commission by July 1, 1999, regarding possible ways in which the City can reduce antimicrobial uses; and be it

FURTHER RESOLVED, that the Commission on the Environment urges the Board of Supervisors to amend the existing Integrated Pest Management Ordinance to reflect the recommendations of this resolution.

I hereby certify that this resolution was adopted by the Commission on the Environment at its regular meeting of October 13, 1998.

Christopher Chow, Commission Secretary

VOTE

Ayes:	*Commissioners Eng, Evans, Krefting, Okamoto, Richardson, Russell, and Vietor.*
Noes:	*None.*
Absent:	*None.*

Commission on the Environment

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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RESOLUTION NO. 023-98-COE October 13, 1998

[Plants Beneficial to Wildlife]

URGING CITY NURSERIES TO PROPAGATE PLANTS BENEFICIAL TO WILDLIFE

Whereas, one of the goals of the City's Sustainability Plan, adopted by the San Francisco Board of Supervisors, is "to maximize habitat value in developed and naturalistic areas, both public and private"; and

Whereas, the presence of wildlife enriches our lives; and

Whereas, the base of the food web which supports the earth's biodiversity is the plant kingdom; and

Whereas, some species of plants are more beneficial than others in providing food, cover, and nesting material to local wildlife; now, therefore be it

Resolved, that the Commission on the Environment urges the Recreation and Park Commission and the Recreation and Park Department to encourage City nurseries to propagate, or contract with others to propagate, plants which: a) are known to be of value to local wildlife, b) known to grow well in San Francisco and c) are non-invasive; and, be it

Further Resolved, that the Commission on the Environment urges the Recreation and Park Department and the Department of Public Works to make these plants available to all City gardeners, along with information about their appropriate locations, growing conditions and maintenance; and, be it

Further Resolved, that the Commission on the Environment urges the Recreation and Park Department to encourage all City gardeners to select plants which promote biodiversity and reduce maintenance needs; and, be it

Further Resolved, that the Commission on the Environment urges the Recreation and Park Department to consult with the Audubon Society, California Native Plant Society, North American Butterfly Association and other experts in ecology to identify a list of plant species to be propagated.

I hereby certify that this resolution was adopted by the Commission on the Environment at its regular meeting of October 13, 1998.

Christopher Chow, Commission Secretary

VOTE
Ayes: *Commissioners Eng, Evans, Krefting, Okamoto, Richardson, Russell, and Vietor.*
Noes: *None.*

Commission on the Environment

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Authority, and the Public Transportation Commission to improve public transportation access to the Presidio by the Municipal Railway; and, be it

FURTHER RESOLVED, that the Commission on the Environment urges the Board of Supervisors and the Mayor to work through the Metropolitan Transportation Commission , and if appropriate, state legislators to improve public transportation access to the Presidio; and be it

FURTHER RESOLVED, that the proposed improvements shall be in concert with the Presidio Trust, Presidio tenants, Presidio neighbors, the National Park Service and the larger community.

I hereby certify that this resolution was adopted by the Commission on the Environment at its regular meeting of October 13, 1998.

Christopher Chow, Commission Secretary

VOTE

Ayes: Commissioners Eng, Evans, Okamoto, Richardson, Russell, and Vietor
Noes: None.
Absent: Commissioner Krefting

Commission on the Environment

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RESOLUTION NO. 024-98-COE ***October 13, 1998***

[Presidio Transportation Resolution]

URGING MORE PUBLIC TRANSPORTATION FOR PRESIDIO NATIONAL PARK

WHEREAS, San Francisco is a "transit first" city; and

WHEREAS, forms of mass transit are more environmentally friendly than the automobile as well as more conducive to urban sustainability; and

WHEREAS, the Presidio National Park has already applied for funds for alternative fuel vehicles to provide transportation from BART to Presidio jobs; and

WHEREAS, the Presidio National Park is and will continue to be a major employment, cultural, and educational center in the San Francisco Bay Region; and

WHEREAS, jobs will be available with the Presidio Trust and with Presidio tenants, large and small;

WHEREAS, the Presidio National Park is a major recreational destination in the San Francisco Bay Area and California;

WHEREAS, the natural areas of the Presidio and San Francisco neighborhoods should be protected from the adverse effects of private automobile traffic wherever possible; and

WHEREAS, the Presidio is not well served by public transportation (either local or regional); now, therefore be it

RESOLVED, that the Commission on the Environment urges the San Francisco Board of Supervisors, the Mayor, the San Francisco County Transportation

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CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF AGRICULTURE
AND
WEIGHTS AND MEASURES

David C. Frieders
Agricultural Commissioner
Director of Weights and Measures

November 3, 1998

Francesca Vietor, President
Commission on the Environment
1540 Market Street, Suite 160
San Francisco, CA 94102

Dear Francesca,

I have reviewed Resolution No. 022-98-COE (Antimicrobials Review) and am in concurrence with the direction and content of the resolution.

If you have any questions, please contact me.

Sincerely,

David C. Frieders
Agricultural Commissioner/
Director of Weights and Measures

Department of Agriculture
501 Cesar Chavez, Suite 109-A
San Francisco, CA 94124
(415) 285-5010

Alemany Farmer's Market
100 Alemany Blvd.
San Francisco, CA 94110
(415) 647-9423

Weights and Measures
501 Cesar Chavez, Suite 109-A
San Francisco, CA 94124
(415) 285-5012

City and County of San Francisco Commission on the Environment

TO: Commissioners, Commission on the Environment
FROM: Christopher Chow, Commission Secretary, 554-6393
RE: Current Activities of Environment Commission & Department
DATE: November 4, 1998

A. Commission Business

1. Supervisor Katz introduced legislation amending the IPM Ordinance as per our Resolution No. 022-98-COE (Urging Review of Antimicrobials) to the Board of Supervisors on Monday, November 2, 1998. It will be heard before the Health, Family, and Environment Committee next Thursday, November 12, after 10 a.m.

2. We are awaiting word on when Supervisor Newsom will introduce the dioxin legislation modeled after our Resolution No. 021-98-COE. An Oakland City Council member is introducing similar legislation this month.

3. We are awaiting word on when Supervisor Ammiano will introduce the first part of his two-part Resource Efficient Buildings legislation.

4. The Environmentally Preferred Purchasing Program legislation (Supervisor Katz) is in the final drafting stage. It was originally known as the Toxics Use Reduction Program and the Toxics Minimization Program. Supervisor Katz' legislative assistant, Karen Hurst, will give the Commission a briefing on the legislation when it is in final form.

B. Department Business

1. Integrated Pest Management Program
- **Bringing City departments into compliance with IPM Ordinance with filing of IPM plans**
- **Research and consultation with experts regarding antimicrobial chemical agents under IPM**
- **Developing list of acceptable, least-toxic chemical pesticides;**
- **Assisting other City departments to create new IPM coordinator positions & civil service classifications**
- **Shepherding the printing and dissemination of 15 fact sheets for training & outreach purposes**

2. Review of City Environmental Functions in various departments for possible reorganization (coordinating with volunteer Municipal Fiscal Advisory Committee).

3. Public Outreach & Education
- **Developing Department Brochure for new City Hall Information Kiosk**
- **Creating a Department logo**

- Website re-design and content maintenance (working with City webmaster and photographer)
- Shepherding Annual Report through printing and distribution
- Developing Weekly Environmental Indicators Report project proposal to EPA

4. Resource Efficient Buildings Legislation - working with Supervisor Ammiano to design program, plan and secure budget funds for Department staff to be assigned to project (& coordinate with Bureau of Architecture)

5. Environmentally Preferred Purchasing Program legislation - working with Supervisor Katz to design program, plan and secure budget funds for Department staff assignment (Department to be Lead agency in inter-agency working group)

6. Preparing/planning for FY 99-00 Budget Proposal with Leirion Gaylor, Mayor's budget analyst & Controller's Office

7. Sustainability Planning – assessing the progress of implementing the objectives of the Sustainability plan, coordinating with Sustainable City/Sustainable San Francisco's volunteer project under direction of Beryl Magilavy and Janet Jacobs.

TO: Commissioners, Commission on the Environment
FROM: Christopher Chow, Commission Secretary/Public Outreach Coordinator
RE: **Monthly Report for October, 1998**
DATE: November 3, 1998

ADMINISTRATION

Fiscal

A preliminary review of our budget indicates considerable salary savings resulting from the as yet to be filled vacancies in the director and executive secretary positions since August 21, or ten weeks ago, approximately $ 19,900. Assuming the positions will be filled by January 1, 1999, the unexpended salaries will amount to $ 37,860. We will ask the Controller's Office how we might transfer these funds to other budget categories.

Leirion Gaylor, budget analyst in the Mayor's Office of Finance and Legislative Affairs, contacted the Department regarding preparations for submitting a budget request for the next fiscal year, 1999-2000. Preliminary requests with narratives on program enhancements, initiatives, and strategic issues, are due in late-January, and the final budget request submission to the Controller is due in mid-February, 1999.

Personnel

Fifty-seven applications for the director position were received by the October 9th closing date.

We have contacted the geosciences department at San Francisco State University for assistance in placing a graduate student or upper-class undergraduate student intern here at the Department of the Environment. We are also considering setting up an internship for students from other educational institutions.

Facilities

The Commission on the Environment is on the list for assignment to a commission hearing room in the new City Hall. Because of scheduling conflicts we may have to change the regular meeting day.

PROGRAMS & PROJECTS

Integrated Pest Management Program

Antimicrobials

Supervisor Leslie Katz has introduced legislation to the Board of Supervisors amending the IPM Ordinance incorporating the recommendations of the Commission's Resolution No. 022-98-COE adopted October 13, 1998 to extend the existing exemptions covering antimicrobial agens for one more year and urging a review of the City's current use of antimicrobial agents and recommendations on ways to reduce antimicrobial uses. The Health, Family, and Environment Committee of the Board of

Supervisors will hear the legislation at its November 12th meeting. IPM Program Coordinator Hom is continuing his research and consultations with experts in the field on this issue.

Fact Sheets

The fifteen IPM fact sheets have been delivered to Reproduction, Mail & Graphic Services for printing. We hope to have the initial batch of 500 sets ready for distribution by year's end.

IPM Website

During our meeting with the webmaster it was decided to create a link in the IPM website to the chemical pesticide database available on the California Department of Pesticide Regulation, thereby facilitating transfer of the IPM website from Global Cities Online to the City website.

Ctiywide Compliance

To date **33 of 49** departments required to submit IPM plans have now done so. Fifteen departments are working with us to prepare their plans for submittal. Three of the larger departments — Police, the Public Library, and Recreation and Parks—are priority targets. We anticipate the remaining departments will have submitted their IPM plans before the end of the calendar year.

IPM Position Classifications in Big Seven City Departments

We have resumed discussions with the "Big Seven" City departments and the Department of Human Resources regarding an unmet need for a re-appraisal of IPM-related positions and also of civil service tests that pertain to such positions.

Public Outreach, Education and Media

City Hall Kiosk Brochures

All City departments have been directed to provide departmental brochures for display in an information kiosk at the new City Hall by the new year.

Annual Report

The Annual Report has been delivered to Reproduction, Mail , & Graphic Services for printing. We would like to have copies ready for distribution by Christmas.

Environment Web Pages

We recently met with Jennifer Schuler, CitySpan webmaster, to work out re-design proposals for the Department and Commission web pages. The prototype can be viewed at ci.sf.ca.us/test/environment. It allows for easier navigation and looks more interesting. We will also have the capability to establish a bulletin board where messages and commentaries and questions and answers can be posted (in the future).

Weekly Environmental Indicators Report In the News Media Proposal

No progress to report. The hiring of the new director and executive secretary will free up the commission secretary/public outreach coordinator to devote time and resources to this project.

Department Logo

This project is on hold pending appointment of members to the Commission's ad hoc logo committee.

Review of City's Environmental Functions

Sandy Stadtfeld of the Municipal Fiscal Advisory Committee (MFAC) briefed the Commission on the Environment on MFAC's work thus far at the October 13th regular meeting. MFAC has completed one initial interview with City Administrator Bill Lee and plans to interview members of the Commission soon. Names of stakeholders in this process who should be interviewed may be forwarded to Secretary Chow for referral to MFAC.

Sustainability Planning

As a member of the Bay Area Alliance for Sustainable Development, the Department was invited to comment on the Alliance's program initiatives at its quarterly meeting on October 29, 1998. Our participation in this area is on hold pending arrival of the new director. However, we are maintaining communication with Sustainable City/Sustainable San Francisco's volunteer project to assess the City's progress in implementing the objectives of the Sustainability Plan.

LEGISLATION

Resource Efficient Buildings

Brad Benson, legislative assistant to Supervisor Tom Ammiano, gave a detailed briefing on the two-part legislation to the Planning and Policy Committee at its regular meeting on October 22, 1998. We do not yet know when the legislation will be introduced to the Board of Supervisors.

Environmentally Preferred Purchasing Program

This program, previously called the Toxics Minimization Program and later the Toxics Use Reduction Program (TURP), calls for a pilot program focused on chemically-based products for custodial care, fleet and shop maintenance operations. Under legislation being drafted by the City Attorney's office and Supervisor Katz, the program creates a task force to develop criteria for minimization and an infrastructure for a current assessment of toxic products being used by the City.

Secretary Chow and IPM Program Coordinator Hom met with the legislative drafting group on October 29 to go over the latest draft of the legislation. The meeting, chaired by Karen Hurst, legislative assistant to Supervisor Leslie Katz, was attended by City Purchaser Ed Lee and his staff, Deputy City Attorney William Chan, as well as Ben Gale, director of the Bureau of Environmental Health Management, Richard Green, environmental officer of the Municipal Railway, Paul Fresina of the Solid Waste Management Program, and Alex Dong of the Hazardous Waste Management Program.

One key issue was left unresolved: determining the "Lead Department" responsible for staffing and coordinating the program. Karen Hurst agreed to brief the Commission on the details of the legislation and proposed program when the legislation is in final shape.

Air Quality Legislation

No new information.

SPECIAL PROJECTS

None at this time.

LEGISLATIVE DIGEST

11/2/98

INTEGRATED PEST MANAGEMENT ORDINANCE (SUPERVISOR KATZ)

AMENDING CHAPTER 39 OF THE ADMINISTRATIVE CODE BY REVISING THE DEFINITION OF ANTIMICROBIAL AGENTS AND EXTENDING THE EXISTING EXEMPTION FOR SUCH ANTIMICROBIAL AGENTS.

Currently, the Integrated Pest Management Ordinance codified at Chapter 39 of the San Francisco Administrative Code bans and restricts the use of pesticides on City property, but exempts antimicrobial agents from regulation until January 1, 1999.

This legislation amends the Integrated Pest Management Ordinance to:

1. Continue the current exemption for antimicrobial agents used in the provision of health care, drinking water plants, wastewater treatment facilities and swimming pools;

2. Additionally exempt their use in the treatment of water in facility heating ventilation and air conditioning cooling water systems and public fountains; and

3. Extend the general exemption for other antimicrobial agents for an additional year until January 1, 2000, in order to allow for continued study by the Department of the Environment in conjunction with other City departments and interested parties to evaluate the City's current use of antimicrobial agents and identify less-toxic alternatives consistent with public health and safety.

BACKGROUND:

These amendments were recommended by Resolution of the Commission on the Environment (File No. 022-98-COE).

FILE NO. _____ ORDINANCE NO. _____

[SAN FRANCISCO INTEGRATED PEST MANAGEMENT PROGRAM]
AMENDING CHAPTER 39 OF THE ADMINISTRATIVE CODE BY REVISING THE DEFINITION OF ANTIMICROBIAL AGENTS AND EXTENDING THE EXISTING EXEMPTION FOR SUCH ANTIMICROBIAL AGENTS.

Note: Additions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. FINDINGS. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

A. The Integrated Pest Management (IPM) Ordinance required the Commission on the Environment to report and recommend to the Board of Supervisors whether, and to what extent, the City should include pesticides which are antimicrobial agents in its IPM Policy. The Commission on the Environment concluded that to minimize antimicrobial use consistent with public health and safety, the IPM Policy (a) continue to exempt antimicrobial agents used in the provision of health care, drinking water plants, wastewater treatment facilities and swimming pools, (b) additionally exempt the use of antimicrobial agents in the treatment of water in facility heating ventilation and air conditioning cooling water systems and public fountains; and (c) continue the general exemption for other antimicrobial agents for an additional year in order to allow for continued study by the Department of the Environment in conjunction with other City departments and interested parties.

B In order to implement the policy of the City and County of San Francisco to eliminate or reduce pesticide applications on City property to the maximum extent feasible, the Commission's recommendations should be implemented through the following amendments to the IPM Ordinance.

Section 2. Chapter 39 of the San Francisco Administrative Code is hereby amended by revising Section 39.2 to read as follows:

SEC. 39.2. DEFINITIONS. Whenever used in this ordinance, the following terms shall have the meanings set forth below.

(a) "Agricultural Commissioner" means the County Agricultural Commissioner for the City and County of San Francisco.

(b) "Antimicrobial agent" means a product that is labeled as registered with the United States Environmental Protection Agency as a pesticide used to kill microbes. ((any substance or mixture of substances intended for inhibiting the growth of, or destroying any bacteria, fungi pathogenic to man and other animals, or viruses declared to be pests under Food and Agricultural Code Section 12754.5, except slime control agents, substances intended for use in or on humans or other animals, and use in or on processed food, beverages or pharmaceuticals.)) Antimicrobial agents include, but are not limited to, disinfectants, sanitizers, bacteriostats, sterilizers, fungicides and fungistats applied to inanimate surfaces, and commodity preservatives and protectants applied to raw materials or manufactured products.

(c) "City department" means any department of the City and County of San Francisco and includes any pesticide applicator hired by a City department to apply pesticides on City property. City department does not include any other local agency or any federal or State agency, including but not limited to the San Francisco School District, the San Francisco Community College District, the San Francisco Redevelopment Agency and the San Francisco Housing Authority.

(d) "Commission on the Environment" means the Commission on the Environment provided for by San Francisco Charter Section 4.118.

(e) "Contract" means a binding written agreement, including but not limited to a

contract, lease, permit, license or easement between a person, firm, corporation or other entity, including a governmental entity, and a City department, which grants a right to use or occupy property of the City and County of San Francisco for a specified purpose or purposes.

(f) "Contractor" means a person, firm, corporation or other entity, including a governmental entity, that enters into a contract with a City department.

(g) "Department of the Environment" means the Department of the Environment provided for by San Francisco Charter Section 4.118.

(h) "Integrated pest management" means a decision-making process for managing pests that uses monitoring to determine pest injury levels and combines biological, cultural, physical, and chemical tools to minimize health, environmental and financial risks. The method uses extensive knowledge about pests, such as infestation thresholds, life histories, environmental requirements and natural enemies to complement and facilitate biological and other natural control of pests. The method uses the least toxic synthetic pesticides only as a last resort to controlling pests.

(i) "Pesticide" means pesticide as defined in Section 12753 of Chapter 2 of Division 7 of the California Food and Agricultural Code.

(j) "Toxicity Category I Pesticide Product" means any pesticide product that meets United States Environmental Protection Agency criteria for Toxicity Category I under Section 156.10 of Part 156 of Title 40 of the Code of Federal Regulations.

(k) "Toxicity Category II Pesticide Product" means any pesticide product that meets United States Environmental Protection Agency criteria for Toxicity Category II under Section 156.10 of Part 156 of Title 40 of the Code of Federal Regulations.

Section 3. Chapter 39 of the San Francisco Administrative Code is hereby amended by revising Section 39.8 to read as follows:

SEC. 39.8. EXEMPTIONS. (a) Notwithstanding any other provision of this Chapter,

this Chapter shall not apply to the use of any pesticide, including any antimicrobial agent, for the purpose of improving or maintaining water quality at

(1) drinking water treatment plants,

(2) wastewater treatment plants,

(3) reservoirs, and

(4) related collection, distribution and treatment facilities.

(b) Notwithstanding any other provision of this Chapter, this Chapter shall not apply to the use of antimicrobial agents for the following purposes: ((of))

(1) protection of public health and safety in the provision of health care,

(2) ((and the)) treatment of water in public swimming pools; ((.))

(3) treatment of water and facility heating, ventilation and air conditioning (HVAC) cooling water systems; and

(4) treatment of water in public fountains.

(c) Until January 1, 2000, ((January 1, 1999)), this Chapter shall not apply to the use of antimicrobial agents for any purpose ((not specified in Subsections (a) and (b))). By August 1, 1999 ((July 1, 1998)), the Commission on the Environment shall make a recommendation to the Board of Supervisors on ((whether, and if so to what)) the extent to which ((,)) the City should include antimicrobial agents not exempted under Subsections (a) or (b) in its IPM Policy. This recommendation shall be accompanied by a report prepared by the Department of the Environment evaluating the City's current use of antimicrobial agents and identifying less-toxic alternatives consistent with public health and safety. ((on the results of its inquiry into (1) the best approach to minimize antimicrobial use consistent with public health and safety and (2) the most appropriate definition of "antimicrobial agents" to be used in the IPM Policy)) In developing the report, the Director of the Department of the Environment shall consult with representatives from the ((Bureau of Environmental Health

Management of the)) Department of Public Health, San Francisco General Hospital, the Purchaser's Office, one or more environmental organizations concerned with integrated pest management and the Agricultural Commissioner.

(((d) The Department of the Environment shall grant a City department an automatic exemption, retroactive to January 1, 1997, for any pesticide banned by Section 39.3, under the following circumstances:

(1) The City department submits an application to the Department of the Environment for the automatic exemption within 30 days of the effective date of this Subsection (d); and

(2) The application identifies the pesticide or pesticides for which the exemption is sought and the intended use of each pesticide.

The automatic exemption shall remain in effect for 90 days from the date of submittal of the application, or, if the City department submits an application for a one-year exemption as provided by Subsection (e) within 90 days of submittal of the automatic exemption application, the automatic exemption shall remain in effect until the Commission on the Environment renders a decision on the one-year exemption request.))

(d)((e)) A City department may apply to the Department of the Environment for up to a one-year exemption from the pesticide ban imposed by Sections 39.3 or 39.4 for use of a particular pesticide for a particular use. Upon the filing of a complete application, the Department of the Environment shall submit the exemption request to the Commission on the Environment. The Commission on the Environment may grant the one-year exemption upon a finding that the City department has:

(1) Made a good-faith effort to find alternatives to the banned pesticide;

(2) Demonstrated that effective, economic alternatives to the banned pesticide do not exist for the particular use; and

(3) Developed a reasonable plan for investigating alternatives to the banned pesticide during the exemption period.

(e)((f)) A City department may apply to the Department of the Environment for a limited use exemption for a particular pesticide banned pursuant to Section 39.3 or Section 39.4 and not covered by a one-year exemption. Upon the filing of a complete application, the Department of the Environment shall submit the exemption request to the Commission on the Environment. The Commission on the Environment may grant a limited-use exemption provided that the Commission finds that the City department will use the pesticide for a specific and limited purpose and for a short and defined period and the City department has identified a compelling need to use the pesticide.

(f)((g)) The Commission on the Environment may exempt a reduced-risk pesticide from the ban imposed by Section 39.4 upon a finding that the reduced-risk pesticide is commonly used as part of an IPM strategy. The Department of the Environment shall maintain a list of reduced-risk pesticides granted an exemption pursuant to this subsection.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____

RONA H. SANDLER
Deputy City Attorney

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FILE NO. _____ ORDINANCE NO. _____

*** * * DISCUSSION DRAFT - FOR INTERNAL USE ONLY * * ***

[Resource-Efficient City Buildings]

AMENDING PART I OF THE SAN FRANCISCO MUNICIPAL CODE (ADMINISTRATIVE CODE) BY ADDING A NEW CHAPTER 82 ESTABLISHING RESOURCE EFFICIENCY REQUIREMENTS FOR CITY-OWNED FACILITIES AND CITY LEASEHOLDS.

Note: This entire chapter is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part I of the San Francisco Municipal Code (Administrative Code) is hereby amended by adding a new Chapter 82 to read as follows:

CHAPTER 82

RESOURCE EFFICIENCY REQUIREMENTS FOR CITY-OWNED FACILITIES AND CITY LEASEHOLDS

SEC. 82.1 FINDINGS AND PURPOSE. The Board of Supervisors finds that:

[Brad to revise]

(a) The planning, design, construction, and operation of the City's buildings, facilities and leaseholds can have a significant positive effect on the City's sustainability. An objective set out in the Sustainability Plan for the City of San Francisco is to establish a plan for promoting resource-efficient building design of the City's buildings in order to increase their efficiency, save City financial resources, and to reduce the negative environmental impact of construction, demolition and operation of buildings.

(b) According to World Watch Institute, construction, demolition and operation of buildings collectively consume up to 40% of the earth's energy and other natural resources.

(c) San Francisco's design and building decisions have a significant impact on the prudent use of the City's energy and water supplies, the cost of remediating hazardous materials conditions, the health and productivity of its employees, transportation choices of city employees and members of the

public who visit municipal buildings, City facilities and City leaseholds, and the rate at which the City's landfill capacity is depleted.

(d) The California Integrated Waste Management Act (commencing with Public Resources Code section 40000) requires that local governments develop source reduction, reuse, recycling, and composting programs to reduce the tonnage of solid waste disposed in landfills by 50 percent by the year 2000. Construction, demolition, and land-cleaning debris generated by public works construction are among the materials targeted by San Francisco to achieve these state-mandated diversion rates. Construction and demolition debris account for a significant portion of the mixed solid waste disposed of at landfills.

(e) The lack of adequate areas for collecting and loading recyclable materials is a significant impediment to diverting solid waste and creates an urgent need for state and local agencies to address space allocation for solid waste source reduction, recycling, and composting activities.

(f) Planning and design decisions made by the City in the construction and remodeling of its facilities and leaseholds can result in significant cost savings to the City over the life of such facilities and leaseholds. Examples range from the San Francisco Public Utilities Commission's estimate of $22 million in savings over the next ten years for energy conservation measures in $1 billion worth of construction, to the San Francisco Water Department's estimate of $200,000 in savings per year for converting the toilet stock in City-owned buildings to low-flush toilets. In adopting the pilot program set forth in this legislation, the Board of Supervisors recognizes that while the resource-efficient pilot projects proposed will entail increased initial capital expenditures, these projects will result in a substantial long-term net benefit to the City's citizens and environment.

(g) A building that utilizes resource-efficient building principles for indoor air quality, thermal comfort, natural lighting, and other ambiance factors can increase the productivity of City staff. A 1% productivity increase over the effective life of a building can generate a 5% savings in net operating costs. **[Authority needed].**

(h) Development of many of the specific criteria and requirements needed for resource-efficient buildings and construction is a highly technical and complex task that will require extensive coordination on the part of various City departments. However, there are other requirements that may be implemented now. It is in the best interests of the City and its residents to begin implementing a resource efficiency program for City-owned facilities and leaseholds, including requirements that do not require a lengthy development process, as soon as possible. To this end, this Chapter establishes resource efficiency requirements for City-owned facilities and city leaseholds to promote resource efficiency in the construction of new City-owned facilities and City leaseholds. It is the intention of the Board of Supervisors to amend this Chapter in the future to include more detailed technical standards and procedures for implementing those standards.

SEC. 82.2. DEFINITIONS. The following terms shall have the meanings set forth below.

(a) "Building" means:

(1) Any structure used for support or shelter of any use or occupancy. "Structure" means that which is built or constructed, an edifice or building of any kind or any piece of work artificially built or composed of parts joined together in some definite manner and permanently attached to the ground.

(2) "Building" includes a structure wherein things may be grown, made or produced, kept, handled, stored or disposed of. "Building" also includes marinas and outdoor recreation areas.

(3) "Building" does not include machinery, equipment, or appliances installed for manufacture or process purposes only, any construction installation which is not part of a building, or any tunnel, roadway or bridge, or any vehicle or mobile equipment. ["Building" does not include residential housing.] **[Brad wants to discuss with group.]**

(b) "City Department" means any department of the City and County of San Francisco. City Department does not include any other local agency or any federal or State agency, including but not limited to the San Francisco School District, the San Francisco Community College District, the San Francisco Redevelopment Agency and the San Francisco Housing Authority.

(c) "City-owned Facility" means any building owned by the City and County of San Francisco. "City-owned Facility" does not include City-owned Facilities or portions thereof that the City leases to non-City entities, except when the City enters into a new lease or other similar agreement with a new tenant. When the City enters into a new lease with a new tenant, the City Department responsible for executing the new lease may, in its sole discretion, grant a waiver from the requirements of this Chapter.

(d) "City Project Engineer" means that person who is in charge of site operations for a given City Construction Project.

(e) "Commission" means the Commission on the Environment.

(g) "Construction Project" means any construction activity, including renovation or remodeling, at a City Facility, Existing City Leasehold, or New City Leasehold, for which a building permit is required **[and issued following the effective date of the Chapter]. [Or $??] [Glenn Hunt asking Tara Lamont].**

(h) "Department" means the Department of the Environment.

(i) "Director" means the Director of the Department of the Environment or his or her designee.

(j) "Existing City Leasehold" means that portion or portions of any building that is leased or otherwise occupied, but not owned, by the City and County of San Francisco or any City Department for a term of one year or more pursuant to a written agreement that has been executed at any time up until ~~four months~~ 90 days after the effective date of this ordinance.

(k) "New City Leasehold" means that portion or portions of any building that is leased or otherwise occupied, but not owned, by the City and County of San Francisco or any City Department for a term of one year or more pursuant to a written agreement that is executed or renewed at any time following ~~four months~~ 90 days from the effective date of this ordinance. "New City Leasehold" does not include common area portions of a building that are not exclusively leased or otherwise occupied by a City department.

(l) "Resource-Efficient Building Program" means the program established within the Department of the Environment pursuant to section 82.3 of this Chapter.

(m) "Resource-Efficient Building Practices" means design, construction, renovation, operation and reuse of buildings in a resource-efficient and energy-efficient manner. Resource-efficient buildings and other facilities exhibit a high level of environmental, economic and engineering performance, including energy and water conservation, indoor environmental quality, materials efficiency, occupant health and productivity, transportation efficiency, minimized use of toxic materials and minimized production of hazardous waste, deterrence to pest infestation, and reduced impact on ecosystems.

(n) "PUC" means the Public Utilities Commission of the City and County of San Francisco.

(o) "Recycling Area" means space allocated for collecting, storing, and loading recyclable materials. Such areas shall be able to accommodate receptacles for recyclable materials.

SEC. 82.3. RESOURCE-EFFICIENT BUILDING PROGRAM

(a) Establishment and Purpose. There is hereby created within the Department of the Environment a Resource-Efficient Building Program. The purpose of the Resource-Efficient Building Program is to:

(1) Assist the Director and Commission in developing broad-based goals, criteria, and strategies for maximizing resource-efficient building design and operations in order to make policy recommendations regarding resource-efficient buildings to the Board of Supervisors;

(2) Develop and oversee a training program in Resource-Efficient Building Practices for department heads and city architects, engineers, construction managers and building managers employed by the City in order to implement the policies adopted by the Board of Supervisors;

(3) Coordinate with other City Departments having expertise with, or with responsibility for, relevant areas. Such departments shall include, but not be limited to, the appropriate agencies within the Department of Public Works, the Department of Administrative Services, the PUC, and the

Department of Building Inspection. These departments shall also assist the Director in providing advice, assistance, outreach and education to other City Departments concerning compliance with the requirements of this Chapter, and on achieving resource-efficient building goals;

(4) Assess the efficacy of the Resource-Efficient Building Program, on both environmental and economic grounds; and

(5) Provide information to the general public to encourage the adoption of resource-efficient building guidelines in the private sector.

(b) Rules and Regulations. The Director may promulgate such regulations as may be necessary from time to time to carry out the provisions of this Chapter. The Director is authorized to call upon other City Departments, boards, or commissions as necessary and appropriate to assist in developing such regulations. A public hearing shall be held prior to the adoption or any amendment of the regulations.

SEC. 82.4 SCOPE AND APPLICABILITY (a) **Resource Efficiency Requirements.** The resource efficiency requirements set forth in section 82.5 shall apply to:

(1) City-owned Facilities;

(2) Applicable portions of New City Leaseholds; and

(3) Construction Projects at City-owned Facilities, Existing City Leaseholds and New City Leaseholds.

(b) **Construction and Demolition Debris.** The requirements for management of construction and demolition debris set forth in section 82.6 shall apply to all Construction Projects at City-owned Facilities or New or Existing City Leaseholds.

(c) **Specific Application to City Departments.** City Departments undertaking the following activities should refer to the following sections of this Chapter to determine their obligations:

(1) City Departments undertaking or authorizing others to undertake Construction Projects at City-owned Facilities:

82.5(a) (Water Conservation Requirements for Toilets).

82.5(b) (Water Conservation Requirements for Shower Heads).

82.5(c) (Energy Conservation).

82.5(e) (Indoor Air Quality).

82.5(f) (Storage of Recyclables) (for some Construction Projects meeting specified criteria).

82.6 (Construction and Demolition Debris Management).

(2) City Departments undertaking or authorizing others to undertake Construction Projects in Existing City Leaseholds:

82.5(a) (Water Conservation Requirements for Toilets) (but only if restrooms are included in the leasehold space and the City Department has a separate metering account with the San Francisco Water Department).

82.5(b) (Water Conservation Requirements for Shower Heads) (but only if restrooms are included in the leasehold space and the City Department has a separate metering account with the San Francisco Water Department).

82.5(c) (Energy Conservation (if the City is responsible for maintenance of light fixtures or exit signs).

82.5(e) (Indoor Air Quality).

82.5(f) (Storage of Recyclables) (for some Construction Projects meeting specified criteria).

82.6 (Construction and Demolition Debris Management).

(3) City Departments undertaking or authorizing others to undertake Construction Projects in New City Leaseholds:

82.5(a) (Water Conservation Requirements for Toilets) (but only if restrooms are included in the leasehold space and the City Department has a separate metering account with the San Francisco Water Department).

82.5(b) (Water Conservation Requirements for Shower Heads) (but only if restrooms are included in the leasehold space and the City Department has a separate metering account with the San Francisco Water Department).

82.5(c) (Energy Conservation) (if the City is responsible for maintenance of light fixtures or exit signs).

82.5(e) (Indoor Air Quality).

82.5(f) (Storage of Recyclables) (for some Construction Projects meeting specified criteria).

82.6 (Construction and Demolition Debris Management).

(4) City Departments occupying an Existing City Leasehold:

82.5(c) (Energy Conservation) (if the City is responsible for maintenance of light fixtures or exit signs).

82.5(e) (Indoor Air Quality) (if the City is responsible for managing Existing City Leaseholds).

(5) City Departments executing agreements for New City Leaseholds or occupying New City Leaseholds:

82.5(a) (Water Conservation Requirements for Toilets) (but only if restrooms are included in the leasehold space and the City Department has a separate metering account with the San Francisco Water Department).

82.5(b) (Water Conservation Requirements for Shower Heads) (but only if restrooms are included in the leasehold space and the City Department has a separate metering account with the San Francisco Water Department).

82.5(c) (Energy Conservation) (if the City is responsible for maintenance of light fixtures or exit signs).

82.5(e) (Indoor Air Quality) (if the City is responsible for managing the New City Leasehold).

82.5(f) (Storage of Recyclables) (for some Construction Projects meeting specified criteria).

82.6 (Construction and Demolition Debris Management).

(6) City Departments occupying City Facilities:

82.5(a) (Water Conservation Requirements for Toilets) (but only if restrooms are included in the leasehold space and the City Department has a separate metering account with the San Francisco Water Department).

82.5(b) (Water Conservation Requirements for Shower Heads) (but only if restrooms are included in the leasehold space and the City Department has a separate metering account with the San Francisco Water Department).

82.5(c) (Energy Conservation) (if the City is responsible for maintenance of light fixtures or exit signs).

82.5(e) (Indoor Air Quality) (if the City Department is responsible for managing the City Facility).

82.5(f) (Storage of Recyclables) (for some Construction Projects meeting specified criteria) (but only if the City-owned Facility was acquired at least 90 days after the effective date of the Ordinance).

(7) All City Departments purchasing toilets beginning 90 days after the effective date of this Ordinance shall ensure that such toilets comply with the requirements of section 82.5(a).

(8) All City Departments purchasing shower heads beginning 90 days after the effective date of this Ordinance shall ensure that such shower heads comply with the requirements of section 82.5(b).

(9) Commencing 90 days after the effective date of this Chapter, all fluorescent lamps discarded by City Departments shall be recycled. The Solid Waste Management Program of the Department of Administrative Services shall establish a program for collecting and recycling discarded fluorescent tubes.

SEC. 82.5 RESOURCE EFFICIENCY REQUIREMENTS FOR CITY BUILDINGS.

(a) Water Conservation Requirements for Toilets. (1) All City Departments identified in Subsections 82.4(c)(1), (2), (3), (5) and (6), and all City Departments purchasing toilets beginning 90 days after the effective date of this Ordinance, shall ensure that all toilets are replaced with toilets that use no more than 1.6 gallons of water per flush. Replacement shall occur at the earlier of: (A) the time of major remodeling, defined as when a water drainage system is substantially altered, modified or renovated (as those terms are defined in San Francisco Plumbing Code Section 101.4) and/or two or more toilets and/or urinals are replaced in a single bathroom; or (B) by June 30, 2005.

(2) Each City Department subject to subsection (a)(1) shall be responsible for the costs of compliance and for ensuring that all applicable contract documents for the replacement of toilets contain the above requirement.

(3) To facilitate the installation of these toilets, the PUC shall:

(A) Negotiate and secure, within 90 days of the effective date of this Chapter, one or more outside contracts that all City Departments may use for the purchase and installation of 1.6-gallon-per-flush valves and tank toilets. The contract will include a list of toilets approved by the International Association of Plumbing and Mechanical Officials. The toilets on this list shall be the only toilets purchased. This list shall be updated annually by the PUC and shall be provided to all heads of City Departments responsible for purchases and/or installations at City-owned Facilities or leaseholds and to the Purchasing Department.

(B) Establish a procedure (including a fixed price) by which City Departments may contract with the Department of Public Works' Bureau of Building Repair for the installation of such toilets. This procedure shall be distributed to all City Departments responsible for purchases and/or installations at City-owned Facilities or leaseholds within 90 days of the effective date of this Chapter. It shall be updated by the PUC annually and sent to all heads of City Departments responsible for purchases and/or installations at City-owned Facilities or leaseholds and to the Purchasing Department.

(4) Between July 1, 2005 and June 23, 2007, the San Francisco Water Department shall inspect all buildings subject to this requirement to ensure that all toilets have been installed as required by this subsection.

(b) Water Conservation Requirements for Shower Heads.

(1) All City Departments identified in Subsections 82.4(c)(1), (2), (3), (5) and (6), and all City Departments purchasing shower heads beginning 90 days after the effective date of this Ordinance, shall ensure that all shower heads are replaced with shower heads using no more than 1.5 gallons per minute by June 30, 2005.

(2) Each City Department subject to subsection (b)(1) shall be responsible for the costs of compliance and for ensuring that all applicable contract documents for the replacement of shower heads contain the above requirement.

(3) To facilitate the installation of these shower heads, the PUC Customer Service Bureau shall:

(A) Provide a list of the approved shower head brands and models to all heads of City Departments responsible for purchases and/or installations at City-owned Facilities or City Leaseholds and to the Purchasing Department;

(B) Negotiate and secure, within 90 days of the effective date of this Chapter, a contract with one or more vendors for the purchase and installation by City Departments of 1.5 gallon per minute shower heads; and

(C) Negotiate a set price for the installation of the shower heads with the Department of Public Works;

(D) Distribute information on the price for installation, and lists of approved shower heads and contract vendors to all heads of City Departments responsible for purchases and/or installations at City-owned Facilities or City leaseholds and to the Purchasing Department.

(c) Energy Conservation. The following requirements for standards for light fixtures and exit signs (or California Code of Regulations Title 24, Part 6 or subsequent State standards, whichever are more stringent), shall apply to:

(1) all City-owned Facilities;

(2) New City Leaseholds; and

(3) Existing City Leaseholds

at which the City is responsible for maintenance of light fixtures or exit signs. All City departments identified in Subsections 82.4(c)(1), (2), (3), (4), (5), and (6), shall be responsible for the cost of compliance and for ensuring that all applicable contract documents for the replacement of light fixtures and exit signs contain the following requirements:

(1) **Exit Signs.** At the time of replacement of broken or non-functional exit signs, all exit signs shall be replaced with light-emitting diode (L.E.D.)-type signs. Edge-lit compact fluorescent signs may be used as replacements for existing edge-lit incandescent exit signs.

(2) **Fluorescent Fixture Replacement.** At the time of replacement of broken or non-functional fluorescent fixtures equipped with T10 or T12 lamps, all replacement fixtures shall be equipped with electronic ballasts and T8 or more efficient lamps unless this replacement will create lighting levels at the work surface that are below the standards established by the Illuminating Engineering Society.

(3) **Exterior Light Fixtures.** At the time of replacement of broken or non-functional exterior light fixtures, a photocell or automatic timer shall be installed to prevent lights from operating during daylight hours. The existing switching capability shall be maintained. Upon written request by a City

Department, the Commission on the Environment may grant an exemption from the requirement of this subsection where lighting is necessary during daylight hours.

(4) **Fluorescent Fixture Ballast Replacement.** At the time of replacement of the ballasts in fluorescent fixtures equipped with T10 or T12 lamps, all replacement ballasts shall be electronic and compatible with only T8 or more efficient lamps unless such replacement will create light levels at the work surface that are below the standards established by the Illuminating Engineering Society.

(d) Fluorescent Lamp Recycling.

Commencing 90 days after the effective date of this Chapter, all fluorescent lamps discarded by City Departments shall be recycled. The Solid Waste Management Program of the Department of Administrative Services shall establish a program for collecting and recycling discarded fluorescent tubes.

(e) Indoor Air Quality.

(1) **Maintenance.** (A) Within 90 days of the effective date of this Chapter, the Department shall provide informational guidelines for the development of indoor air quality maintenance plans to all City Departments identified in Sections 82.4(c)(1), (2), (3), (4), (5) and (6). The guidelines shall include, at a minimum, guidance and recommendations on the following:

(i) A schedule and procedures for thorough cleaning of finishes, furniture and fixtures in order to remove and reduce the growth of organisms hazardous to human health at the time of delivery and regularly after installation.

(ii) A schedule and procedures for inspecting and maintaining mechanical systems, including heating, ventilation and air conditioning systems (hereinafter "HVAC"systems.)

(iii) A schedule and procedures for inspecting for mold and/or mildew contamination in porous building materials, fixtures and furnishing, including provisions for the complete removal and

replacement of such materials where it is determined by inspection that the materials have become contaminated by mold and/or mildew.

(iv) A commitment to using cleaners and polishes with minimal effects on indoor air quality.

(B) Within 90 days of the development of guidelines pursuant to subsection (e)(1)(A), all City Departments identified in Sections 82.4(c)(1), (2), (3), (4), (5) and (6) shall develop and implement indoor air quality maintenance plans.

(2) **Pollutant Source Control.**

(A) **Reduction of Health Hazards from Microbial Contaminants.** Commencing 90 days after the effective date of this Chapter, all City Departments shall include in their contracts for Construction Projects provisions requiring:

(i) **Prevention of Moisture Contamination.** Building materials that are intended to be kept dry before, during and following installation (e.g., fabrics, carpeting, drywall, ceiling tiles, and insulation) shall be protected from moisture prior to, during, and after installation.

(ii) **Removal of Building Materials Contaminated by Moisture.** If, in the judgment of the City Project Engineer, any building material that is intended to be kept dry before, during and after installation has become wet, such material shall be removed immediately from the job site, disposed of in accordance with this Chapter, and replaced. It shall be the responsibility of the relevant contractor or subcontractor to monitor the storage of such materials to ensure that they remain dry, and to remove and dispose of such materials if they become wet.

(iii) **Determination by Independent Industrial Hygienist.** On Construction Projects with a total construction cost exceeding $1,000,000, if any building material that is intended to be kept dry becomes, in the judgment of the subcontractor or the City Project Engineer, contaminated by moisture, the City's project manager shall obtain an assessment by an independent industrial hygienist to assess the extent of contamination and supervise the containment and removal of moisture-contaminated materials. Where the hygienist determines that moisture contamination has occurred, th

contractor responsible for causing or allowing the contamination to occur shall be responsible for the costs of the hygienist's services and the costs for removal and replacement of the contaminated materials. Should no moisture contamination be found, the City shall be responsible for the costs of the hygienist's services.

(B) **Elimination or Encapsulation of Fibrous Insulation Materials.** The use of exposed fibrous duct insulation material in Construction Projects shall be prohibited. If the design of a Construction Project requires the use of fibrous insulation material, such material shall be encapsulated to minimize mold and/or mildew growth and emissions of volatile organic compounds into the habitable space.

(f) Storage of Recyclables. (1) All City Departments identified in Subsections 82.4(c)(1), (2), (3), (5), and (6) shall ensure that adequate, accessible, and convenient recycling areas are provided within the City-owned Facility or the leasehold, and that all applicable contract documents contain this requirement. The minimum allowable recycling area shall be not less than the space allocated for the storage of refuse.

(2) The requirement set forth in subsection (f)(1) to provide adequate recycling areas shall also apply to Construction Project(s) for which funds have been appropriated on or after the effective date of this Chapter for:

(i) A single alteration which is subsequently performed that adds to or modifies 20 percent or more of the existing floor area of the project; or

(ii) Multiple alterations which are conducted within a twelve-month period which collectively add to or modify 20 percent or more of the existing floor area of the project.

(3) Any cost associated with recycling areas pursuant to this subsection shall be the responsibility of the party or parties who are responsible for the cost of any alterations to accommodate their occupancy.

SEC. 82.6 CONSTRUCTION AND DEMOLITION DEBRIS MANAGEMENT. All City Departments identified in Subsections 82.4(c)(1), (2), (3), and (5) shall ensure that each Construction Project subject to this Chapter shall minimize construction and demolition debris disposal in accordance with the following requirements:

(a) Construction and Demolition Debris Management Plan. The contract between the City Department and the contractor shall require the contractor responsible for demolition to: (1) conduct a site assessment to estimate the types of materials that will be generated by demolition at the site that are anticipated to be feasible and practical for reuse and recycling and to (2) complete a plan as set forth in subparagraph (b) describing the procedures for disposal, reuse or recycling.

(b) Plan Requirements. The contract between the City Department and the contractor shall require that: (1) After award of the contract and prior to commencement of the demolition, the City Project Engineer shall meet with the contractor to develop a plan for managing construction and demolition debris to enable the City and the contractor to develop a mutual understanding regarding recycling and reuse.

(2) The contractor shall prepare and submit to the City Project Engineer a written construction and demolition debris management plan. The construction and demolition debris management plan shall include, but not be limited to, the following information: (A) contractor and project identification information; (B) procedures to be used for debris management; (C) a listing of the materials to be reused, recycled, or landfilled: (D) an estimate of the quantities to be reused, recycled, or landfilled; and (E) the names and locations of reuse and recycling facilities or sites.

(3) The construction and demolition debris management plan is subject to the approval of the City Project Engineer.

(c) Recycling of Construction and Demolition Debris. The contract between the City Department and the contractor shall require that:

(1) The contractor shall develop and implement procedures to reuse and recycle materials to the greatest extent feasible based upon the contract, the construction and demolition debris management plan, the estimated quantities of materials, and the availability of recycling facilities.

(2) The contractor shall develop and implement programs for on-site or off-site recycling of source-separated materials, including asphalt, concrete, concrete block, and rocks; dirt and sand; metals (ferrous and non-ferrous); wood; green materials (e.g., tree trimmings) and other materials as appropriate, such as red clay brick, corrugated cardboard, and wall board; mixed debris; and salvageable items. Prior to delivering materials, the contractor shall familiarize itself with the specifications for acceptance of construction and demolition materials at recycling facilities.

(3) Approval of the contractor's construction and demolition debris management plan by the City Project Engineer shall not relieve the contractor of the duty to comply with any other applicable laws regulating control or disposal of solid waste or other pollutants.

(d) Summary of Diversion; Disposal. The contract between the City Department and the contractor shall require that:

(1) With each application for progress payment, the contractor shall submit a summary of construction and demolition debris diversion and disposal, quantifying all materials generated at the work site and disposed of in Class III Landfills, as defined in Title 27 CCR 20260, or diverted from disposal through recycling. Failure to submit supporting documentation in the form of weight slips or other similar proof shall render the application for progress payment incomplete and delay progress payment.

(2) The contractor shall be responsible for transporting and disposing of materials that cannot be delivered to a source-separated or mixed materials recycling facility to a transfer station or disposal facility that can accept the materials in accordance with state law. No solid waste shall be burned, buried or otherwise disposed of on the project site.

(e) Revenue. Revenues or other savings obtained from recycled or reused materials shall accrue to the City Department or the contractor as negotiated between them and embodied in the contract.

SEC. 82.7 EXEMPTIONS. (1) Exemptions may be granted by the Director from any requirement imposed by sections 82.5 or 82.6 of this Chapter if, due to specific circumstances, compliance would defeat the intent of this Chapter or create an unreasonable burden on the project or department. Such requests shall be submitted in writing, and shall include documentation of the circumstances and burdens at issue.

(2) Additionally, should subsequent technological advances produce light fixtures, exit signs, toilets or shower heads that are substantially more water- or energy-efficient than those specified in the foregoing sections, the Director shall have the authority to allow the use of the more efficient models.

SEC. 82.8 REPORT TO BOARD OF SUPERVISORS. Within three years of the effective date of this Chapter, the Resource-Efficient Building Program shall submit to the Board of Supervisors a report on the effects of this Chapter, including but not limited to, the following:

a. An assessment of whether this Chapter has achieved stated goals; and

b. Recommended changes, if any, to this Chapter.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____

Alison Stewart Cocotis
Deputy City Attorney

FILE NO. _____ ORDINANCE NO. _____

*** * * DISCUSSION DRAFT - FOR INTERNAL USE ONLY * * ***

[Pilot Projects - Resource Efficient Building Design]

AMENDING PART I OF THE SAN FRANCISCO MUNICIPAL CODE (ADMINISTRATIVE CODE) BY ADDING A NEW CHAPTER 83 ESTABLISHING A PILOT PROGRAM TO PROMOTE RESOURCE EFFICIENCY IN CONSTRUCTION OF CITY-OWNED FACILITIES AND CITY LEASEHOLDS

Note: This entire chapter is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part I of the San Francisco Municipal Code (Administrative Code) is hereby amended by adding a new Chapter 83 to read as follows:

CHAPTER 83

RESOURCE-EFFICIENCY PILOT PROJECTS

[Brad: do we want to put findings here?]

83.1 Establishment and Purpose. The Board of Supervisors hereby establishes a pilot program for the design and construction of new Resource-Efficient City Buildings. In order to carry out this program, there is hereby created an inter-agency Resource-Efficiency Design Task Force, to be chaired by the Director of the Department of the Environment, which will consist of one representative from each of the following: (1) the Bureau of Architecture within the Department of Public Works; (2) the Customer Service Bureau within the PUC; (3) the Bureau of Energy Conservation within the PUC; (4) the Bureau of Construction Management within the Department of Public Works; (5) the appropriate agency within the Department of Administrative Services; and (6) the Department of Building Inspection. In addition, up to three other departments with building projects being considered by the pilot program may each have a representative on the task force. The selection of these additional representatives shall be at the discretion of the Director.

(b) **Pilot Program.** The pilot program for design, construction, and commissioning of Resource-Efficiency Pilot Projects ("Pilot Projects") shall apply to all projects approved by the Bureau of Architecture in accordance with section 83.4.

(c) **Commissioning Guidelines.** To ensure that Pilot Projects perform as designed and that building systems and equipment are installed and operate as specified, the Bureau of Architecture within the Department of Public Works shall adopt commissioning regulations **[by what date?]**. A public hearing shall be held prior to the adoption or amendment of the regulations.

SEC. 83.2 DEFINITIONS.

(a) Unless stated otherwise, all definitions listed in Chapter 82 shall apply.

(b) "Commissioning" shall mean the process of verifying that designated equipment and systems are installed properly and able to perform according to design specifications and operational needs. Commissioning shall not include routine inspections performed by the Department of Building Inspection.

SEC. 83.3 Pilot Project Identification. If any Construction Projects are currently planned by the following City Departments, within 90 days of the effective date of this Chapter, such City Departments, assisted and advised by the Bureau of Architecture, shall identify in writing to the Director at least one Construction Project that the City Department plans to build within the next two fiscal years that is a suitable candidate for designation as a Pilot Project:

(1) Airport Commission;

(2) Department of Public Health;

(3) Department of Social Services;

(4) Department of Parking and Traffic;

(5) Department of Real Estate;

(6) Department of Transportation;

(7) Fire Department;

(8) Treasure Island Development Authority;

(9) Police Department;

(10) Public Utilities Commission;

(11) Recreation and Parks Department;

(12) Public Library;

(13) War Memorial and Performing Arts Center;

(14) Port of San Francisco;

(15) Sheriff's Department.

SEC. 83.4 Pilot Project Selection. (a) Within six months of the effective date of this Chapter, the Bureau of Architecture, in consultation with the Resource-Efficiency Design Task Force, shall select three to five proposed Pilot Projects for the Pilot Program for Fiscal Year 1999-2000.

(b) The Bureau of Architecture, in consultation with the Resource-Efficiency Design Task Force, shall select an additional three to five proposed Pilot Projects for the Pilot Program for Fiscal Year 2000-2001: **[By when?]**

(c) Pilot Projects shall be selected and designed in order to demonstrate innovative construction techniques, building materials, landscaping techniques, and/or other building systems addressing the following pilot demonstration goals:

(1) Improved energy efficiency;

(2) Consideration of energy generation by passive solar or other renewable source;

(3) Improved water conservation;

(4) Healthy indoor air quality;

(5) Adequate storage and collection of recyclables;

(6) Environmentally sensitive landscaping, including planting of drought-resistant native plants and design for landscape maintenance using integrated pest management; and

(7) Procurement of building materials with minimized impact on indoor air quality, maximized recycled product content, and maximized future recycling potential.

The design shall include consideration of the total environmental and economic costs and benefits associated with the Pilot Project.

SEC. 83.5 Compliance with Resource-Efficiency Requirements. All Pilot Projects must comply with the Resource-Efficiency Requirements established in Sections 82.5 and 82.6 of Chapter 82 relating to water conservation requirements for toilets and shower heads, energy conservation for light fixtures and exit signs, indoor air quality, storage space for recyclables, and construction and demolition debris management..

SEC. 83.6 Commissioning. (a) Designers of systems specified in subsection (d) shall have responsibility to monitor performance of the designated systems for a period to coincide with the warranty of the equipment designated, or, for a system with multiple warranties for components, for the longest component warranty. The designer shall prepare a commissioning plan for evaluation of the systems' performance before and after occupancy based on regulations established by the Bureau of Architecture.

(b) The City Project Engineer for each Pilot Project shall form a commissioning team consisting of representatives of the Bureau of Architecture, the design team, the general contractor and subcontractors for systems to be commissioned, the building owner, the building manager or operator, and the anticipated building user.

(c) The commissioning team shall be responsible for oversight of the commissioning process and preparation of the commissioning report based on regulations established by the Bureau of Architecture.

(d) **Projects Subject to Commissioning.** All City Departments responsible for executing contracts for Pilot Projects shall ensure that the applicable contract documents contain ~~the~~ a commissioning requirement in their budget and contract documents whenever the total construction

costs (in a single system or in combination) for any one or more of the systems listed in subsection (e) exceeds fifty thousand dollars ($50,000.00). Pilot Projects ~~for~~ at Existing City Leaseholds in which the City leasehold does not include the entire building shall not be subject to the commissioning requirements.

(e) **Systems Subject to Commissioning.** The following systems shall be subject to the requirements of this section: mechanical systems (including (HVAC)); lighting systems; energy management systems; and renewable energy equipment.

(f) **Specifications Required in Contract.** For any project subject to the requirements of subsection (1), the construction contract documents shall provide performance standards for resource efficiency as set forth in Chapter 82.

(g) **Commissioning Procedures and Standards.** The commissioning team shall conduct Commissioning of the system(s) in accordance with regulations to be adopted by the Bureau of Architecture Such regulations shall include, at a minimum:

(1) **HVAC Systems.** A requirement that prior to certification, the commissioning team determine that the project meets generally accepted industry standards including but not limited to ASHRAE Standard Guideline 1-1989, *Guideline for Commissioning HVAC Systems* or subsequent versions of that guideline.

(2) **Ventilation.** A requirement that prior to certification, the commissioning team determine that ventilation is sufficient for the occupant and equipment load projected for the building and meets ASHRAE Standard 62-1989, *Ventilation for Acceptable Indoor Air Quality,* or subsequent versions of that standard.

(3) **Lighting.** A requirement that prior to certification, the commissioning team determine that lighting systems meet Illuminating Engineering Society and California Code of Regulations Title 24, Part 6 standards and meet performance as well as prescriptive standards.

(4) **Other Systems.** A requirement that prior to certification, the commissioning team determine that other building systems, including elevators, plumbing, fire management systems, and telecommunications systems meet appropriate industry standards, to be determined by the Bureau of Architecture.

(5) **Procedures for Commissioning.** The Commissioning regulations shall provide procedures for certification, which may include applying to the Bureau of Architecture for a Certificate of Compliance, within a given time-frame. The regulations may also contain procedures for conducting a walk-through, obtaining a Compliance Statement, applying for a Certificate of Compliance, and obtaining issuance of a Certificate of Compliance from the Bureau of Architecture.

(6) Warranty. Systems subject to Commissioning must include a warranty that certification of commissioning will be achieved within the time frame specified in the regulations. Contract documents for such systems subject to Commissioning shall contain the following provision: "Non-compliance with this aspect of the warranty by any party shall not be construed as the sole basis for any claim involving any of the following, including, but not limited to: delays, errors, omissions, release of retention, or withholding of final payment." **[ASC to get correct phrasing from George Wong].**

SEC. 83.7 Pilot Project Funding. (a) City Departments with revenues to offset capital expenditures shall attempt to identify public and private sector funding for the Pilot Projects at a rate of 1-2% of the total project cost, depending on the cost of the resource efficiency features proposed for the project.

(b) The Department of the Environment shall attempt to identify other public and private sector funding for the remaining Pilot Projects.

(c) The Bureau of Architecture, in conjunction with the Task Force, shall submit a funding request for any un-funded Pilot Projects for FY 1999-2000 to the Capital Improvement Advisory Committee. The deadline for that funding request shall be January 31, 1999.

(d) The Bureau of Architecture, in conjunction with the Task Force, shall submit a funding request for any un-funded Pilot Projects for FY 2000-2001 to the Capital Improvement Advisory Committee. The deadline for the funding request for the FY 2000-2001 Pilot Projects shall be January 31, 2000.

SEC. 83.8 REPORT TO BOARD OF SUPERVISORS. Within three years of the effective date of this Chapter, the Bureau of Architecture, in consultation with the Resource-Efficiency Design Task Force, shall submit to the Board of Supervisors a report on the effects of this Chapter, including but not limited to, the following:

a. An evaluation of the environmental, health and/or economic benefits of the Pilot Projects;

b. A proposed system of criteria for evaluating the resource-efficiency of future City Construction Projects, including standardized methods for calculating the cost/benefits of resource-efficient design and construction techniques;

c. Proposed new standards for resource-efficient design or construction of future City Construction Projects;

d. An assessment of whether this Chapter has achieved its stated goals; and

e. Recommended changes, if any, to this Chapter.

The report shall be prepared with input from interested members of the public and City Departments.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By:
Alison Stewart Cocotis
Deputy City Attorney

SUMMARY OF DRAFT SECTIONS AND TIMELINES IN DRAFT

Section 1	Findings and Purpose	Section 6	Environmentally Preferred Purchasing Pilot Program Established
Section 2	Definitions	Section 7	Report on Results of Pilot Program
Section 3	Preferred Purchasing Expertise	Section 8	Recommendation to the Board of Supervisors
Section 4	Interdepartmental Consultation	Section 9	City-wide Environmentally Preferred Purchasing Program
Section 5	Assessment of City Usage of Chemically-Based Products		

SECTION	TIME PERIOD	ACTION:
Section 3	3 months after Effective Date of this Chapter	Lead Department to establish expertise so as to implement this Chapter (funding and hiring a new position)
Section 5	9 months after Effective Date of this Chapter (i.e., 6 months after "expertise" is hired/established)	Report to Commission of the Environment on assessment of City Departments' usage of chemically-based products and criteria for judging chemically-based products
Section 6	15 months after Effective Date of this Chapter (i.e., 3 months after report to Commission on usage)	Pilot Program proposed to the Commission on the Environment. Board adopts resolution to specify duration of Pilot Program and to implement Pilot Program
Section 6[c]	*After Commission approves pilot program (no timeframe specified)*	• *Commission to get Board to ok Pilot Program* • *Implementation of Pilot Program (Board would have specified the length of the pilot program itself per Section 6[c]*
Section 7	3 months after Pilot Program	Lead Department to submit report to Commission on the Environment summarizing results of the Pilot Program
Section 8	6 months after Pilot Program	Commission on Env. to provide recommendation to the Board of Supervisors
Section 9	3 months after Commission reports to the Board (i.e., 9 months after Pilot Program)	Board of Supervisor to adopt ordinance to implement program City-wide.

FILE NO. _____ ORDINANCE NO. _____

[Environmentally Preferred Purchasing Program]

AMENDING PART I OF THE SAN FRANCISCO MUNICIPAL CODE (ADMINISTRATIVE CODE) BY ADDING A NEW CHAPTER **[??]**

(NOTE: INCLUDE TIMELINE SUMMARY IN LEGISLATIVE DIGEST)

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Chapter **[??]**, to read as follows:

CHAPTER ___??

ENVIRONMENTALLY PREFERRED PURCHASING PROGRAM

SEC. 1 FINDINGS AND PURPOSE. The Board of Supervisors finds and declares that:

(a) Chemically-based product can present **[significant]** risks to the health and safety of City employees and to the environment. **[Need to incorporate information from EPA to support the statement that there is risk and to determine the degree of risk (significant?)]**

(b) It shall be the policy of the City and County of San Francisco for City departments to minimize the purchase and use of chemically-based products which present a **[significant]** risk to the health and safety of City employees and to the environment while minimizing the potential disruptive effects on City departments.

MASS - Additional environmental & health standards set.

(c) Currently, City departments use large quantities of chemically-based products, primarily for custodial services, fleet maintenance or shop maintenance. Some of these_products may present **[significant]** risks to health and safety of City employees and to the environment. Although the City has programs focused on reducing hazardous wastes generated by City operations, the City has not conducted an assessment of the extent to which chemically-

define products

based products are used by City departments nor has it developed a plan to minimize the purchase and use of these products.

(d) Under this Chapter, the Lead Department shall: (1) identify criteria that will be used to evaluate whether chemically-based products currently used by the City are Targeted Hazardous Products or Preferred Products, (2) assess the current City-wide usage of chemically-based products, and (3) develop a pilot program that will evaluate whether the use of Targeted Hazardous Products by City Departments can be reduced through changes in work practices and/or use of Preferred Products.

(e) The Lead Department will develop and maintain staff expertise in identifying and evaluating Preferred Products in order to assist City Departments in reducing the Targeted Hazardous Products used by the City. This staff expertise developed and maintained by the Lead Department shall be coordinated with expertise on other environmentally preferable products specified for municipal purchase by local ordinances, including but not limited to integrated pest management tools, less-toxic pesticides, ~~energy-efficient equipment~~ **[duplicative -- see Healthy Air Ordinance (expertise will be allocated in the Dept of Admin. Svc.]** and recycled-content products.

(f) Under this Chapter, the City and County of San Francisco wishes to exercise its power to make economic decisions involving its own funds as a participant in the marketplace and to conduct its own business as a municipal corporation to ensure that purchases and expenditures of public moneys are made in a manner consistent with the policy of reducing the use of chemically-based products that present **[significant]** risks to the health and safety of City employees and to the environment.

SEC. 2 DEFINITIONS. Terms used in this Chapter shall have the following meaning:

(a) "City Department" means any department of the City and County of San Francisco. City department does not include any other local agency or any federal or State agency, including but not limited to the San Francisco Unified School District, the San Francisco Community College District, the San Francisco Redevelopment Agency, and the San Francisco Housing Authority.

(b) "Commission" means the Commission on the Environment provided for by San Francisco Charter Section 4.118.

(c) "Contract" means a binding written agreement for the provision of custodial services, fleet maintenance or shop maintenance, including but not limited to a contract between an individual, trust, firm, joint stock company, corporation, partnership, and governmental entities, to the extent allowable by law, and a City Department. **[FYI: Lessees or Lessors are not covered]**

(d) "Contractor" means an individual, trust, firm, joint stock company, corporation, partnership, and governmental entities, to the extent allowable by law, that enters into a contract with a City Department.

(e) "Director" means the Director of the Department or her or his designee.

(f) "Lead Department" means the **[Department of the Environment??? -- Drafting committee to decide which department will be the lead]**

(g) "Hazardous Materials" means any material that fall within the meaning of Section 1102(q) of the San Francisco Health Code. **[FYI: This definition is as follows: Hazardous Materials means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a signification present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. Source: San Francisco Health Code 1102(q)]** (800 262-7937)

(h) "Preferred Product" means a type of chemically-based product that, based on the criteria established by the Lead Department, are preferred for purchase and use by the City Departments.

(i) "Targeted Hazardous Product" means those chemically-based products used for custodial services, fleet maintenance or shop maintenance which contain one or more Hazardous Material(s) and present a **[significant]** risk to the health and safety of City employees or to the environment, as determined by the criteria established by the Lead Department. Targeted Hazardous Product does not include those products defined as pesticides under Chapter 39 of the San Francisco Administrative Code and those used primarily used as fuel.

How are we going to get and evaluate preferred products? A bidding process?

SEC. 3. PREFERRED PURCHASING EXPERTISE. No later than ___[???] months from the effective date of this Chapter, the Lead Department shall develop and maintain expertise in identifying and evaluating products that pose minimal risk to the health and safety of employees and to the environment.

Capitalize p 2 add practices

SEC. 4. INTERDEPARTMENTAL CONSULTATION. In order to benefit from City expertise in Hazardous Materials, industrial hygiene, and other related fields, the Lead Department shall implement this Chapter in consultation with City Departments including but not limited to: the Purchasing Department, the Department of Public Health, the Solid Waste Management Program within the Department of Administrative Services, the Department of Public Works, the Department of Public Transportation, the Department of Recreation and Parks [???], the ~~Water Department~~ airport

PUC? MUNI & Airport ??

the Port

SEC. 5. ASSESSMENT OF CITY USAGE OF CHEMICALLY-BASED PRODUCTS. The Lead Department shall conduct an assessment of the City's usage of chemically-based products. No later than nine (9) months from the effective date of this Chapter, the Lead Department shall submit a report to the Commission that shall include the findings of this assessment. The assessment shall consisted, at a minimum, of the following:

(a) Development and adoption of criteria that shall be used by the Lead Department to determine the Targeted Hazardous and Preferred Products. The following acute, chronic, and environmental health factors may be considered in establishing the criteria:

Additional items
phosphates (?)
1) inert ingredients (?)
2) bio degradable
3) recyclable / source Reduced packaging

skin? mucus?
ignitability
corrosivity
Reactivity

(1) irritation potential,
(2) exposure potential,
(3) bioaccumulation, (?) how?
(4) food chain exposure, (?) how to measure
(5) air pollution potential, V.O.C ?
(6) presence of cosmetic additives, FDA approval ?
(7) carcinogenicity,
(8) tetratogenicity,
(9) reproductive toxicity, and
(10) other relevant factors.

(b) Compilation of a list of the Targeted Hazardous and Preferred Products purchased and used by City Departments; a list of the City Departments which use these Targeted Hazardous and/or Preferred Products; and an estimated amount of each Targeted Hazardous and Preferred Product used during the twelve (12) month period prior to the assessment. To the extent reasonably available, the Lead Department shall collect similar information from City Contractors for such products purchased on behalf of the City. The Lead Department, in conjunction with the Purchasing Department, shall maintain and

update the lists of Targeted Hazardous Products and of Preferred Products as needed. **[Policy issue: In Departmental PO up to $5,000, do we want to require City Departments to provide info on chemical products purchased thru POs?] [FYI: The Purchasing Department can obtain usage info from term contracts they are responsible for.]**

(c) Compilation of an assessment summarizing each City Department's current purchasing practices for Targeted Hazardous and Preferred Products.

(d) Compilation of an assessment of current work practices of City Departments that minimize the purchase or use of Targeted Hazardous Products, such as **[increasing the time between servicing of vehicles, use of a physical means to unclog a drain as oppose to use of chemicals]**. To the extent reasonably available, the Lead Department shall collect similar information for City Contractors.

(e) Recommendations as to additional work practices that would minimize the purchase or use of Targeted Hazardous Products.

What we can do operatively to reduce hazards

Need outside expertise on recommendations, evaluation, decision-making etc.

Trade-secrets clause

SEC. 6. ENVIRONMENTALLY PREFERRED PURCHASING PILOT PROGRAM ESTABLISHED.

(a) No later than **[three (3)]** months after the submission of the Lead Department's report to the Commission, the Lead Department shall provide a report to the Commission detailing a Pilot Program which would minimize the use of Targeted Hazardous Products by City departments through changes in work practices or by replacement with Preferred Products. The goals of the Pilot Program shall be the following:

1) training & education
2) hire outside consultants.

(1) to evaluate Preferred Products that may be used as substitutes for Targeted Hazardous Products based on (A) efficacy, (B) ease of use, (C) availability, and (D) expected additional costs or savings of the Preferred Products,

(2) to evaluate work practices that may reduce the purchase or use of Targeted Hazardous Products while meeting the City Department's needs,

(3) to determine whether the criteria established pursuant to Section **5** are effective in maximizing the purchase of Preferable Products and minimization the purchase of Targeted Hazardous Products.

(b) The report by the Lead Department shall contain the following:

(1) A recommendation as to which City Departments, or which programs within a City Department, should participate in the Pilot Program. The Lead Department shall consider including the following: Central Shops (Purchasing dept) within the Department of Purchasing ~~**[Public Works or Administrative Services???]**~~, Department of Public Works, and the Department of Public Transportation.

90% custodial work and agency other contract companies

(2) An appropriate recordkeeping and reporting component to enable the Lead Department to evaluate whether the goals of the Pilot Program were achieved.

(3) Any other recommendations to improve or make the Pilot Program more effective. Such recommendations may include, but are not limited

to, recommendations on developing appropriate definitions of relevant terminology, identification of additional resources needed, and consultation with other City Departments.

(4) An estimation of the costs ~~of~~ to implement the pilot program.

(c) Upon the approval of the Pilot Program by the Commission, the Commission shall recommend that the Board of Supervisors adopt a resolution calling for the implementation of the Pilot Program, and specifying the duration of the Pilot Program.

SEC 7. REPORT ON RESULTS OF PILOT PROGRAM.

(a) No later than three (3) **[???]** months from the completion of the Pilot Program pursuant to Section **6**, the Lead Department shall submit a report to the Commission summarizing the results of the Pilot Program. The report shall, at a minimum, include the following information:

(1) the benefits realized by minimizing the purchase or use of Targeted Hazardous Products,

(2) the success of the Pilot Program in reducing the purchase or use of Targeted Hazardous Products,

(3) an assessment of any economic impacts on the participating City departments caused by the conversion from the use of Targeted Hazardous Products to the use of the Preferred Products and/or work practices that minimize the use of Targeted Hazardous Products.

SEC. 8. RECOMMENDATION TO THE BOARD OF SUPERVISORS. No later than six (6) months after the completion of the Pilot Program, the Commission shall submit a report to the Board of Supervisors summarizing the findings of the Pilot Program and provide the following:

(a) the projected benefits and costs or cost savings of expanding the scope of the Pilot Program to cover other Targeted Products and to include all City Departments that use Targeted Hazardous Products.

(b) a recommendation as to whether City Contractors should be subject to any requirements regarding the purchase and use of Targeted Hazardous Products.

FILE NO. _____ ORDINANCE NO. _____

SEC. 9. CITY-WIDE ENVIRONMENTALLY PREFERRED PURCHASING PROGRAM.

(a) No later than **[three (3)???]** months after the submission of the report pursuant to section **8**, the Board of Supervisors shall determine whether this Chapter should be amended to implement a Environmentally Preferred Purchasing program on a ~~City-wide basis~~ all City departments.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____

William Chan

Deputy City Attorney

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE LEE ENG
REBECCA EVANS

PAUL OKAMOTO
LINDA RICHARDSON
CHRISTINE RUSSELL

September 24, 1998

To Whom It May Concern:

I hereby certify that Mr. Eick von Ruschkowski from Hannover, Germany, and a graduate student of the University of Lüneburg, Germany, was employed as an intern by the Department of the Environment of the City of County of San Francisco, California, USA.

Mr. von Ruschkowski was with the Department from June 29, 1998 until September 25, 1998. During this time, his major assignment was the development of a weekly environmental information report for dissemination to the people of San Francisco and the Bay Area.

His work on this innovative environmental education and public outreach project has strongly impressed individual members of the Commission on the Environment and provided us with a firm foundation for a formal proposal for funding possibly to the United States Environmental Protection Agency

His proposal reflected a keen understanding of the principles of sustainability and their application in the on-going implementation of the *Sustainability Plan for the City of San Francisco* adopted last year as official policy by the Board of Supervisors and Mayor Willie L. Brown, Jr.

During his tenure here, Mr. von Ruschkowski consulted with various government and media agencies, eliciting strong support for the project from our departmental colleagues and strong interest and advice from such news media as the San Francisco Examiner, a major metropolitan daily newspaper.

Mr. von Ruschkowski has demonstrated discipline, initiative, and a comprehensive knowledge of environmental issues and conerns. We were most pleased and proud to have Eick on board for the brief time he had here..

Sincerely,

Christopher Chow
Commission Secretary/Public Outreach Coordinator

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DRAFT MINUTES – REGULAR MEETING
Tuesday, November 10, 1998

1. **Call to Order and Roll Call.** The meeting was called to order at 6:07 p.m. by President Vietor. Present were Commissioners Eng, Evans, Krefting, Richardson, Okamoto, and Vietor.

2. **Approval of Minutes of October 13, 1998.** The Minutes were unanimously approved without objection.

3. **Consent Calendar** - None.

REGULAR CALENDAR

4. **Chemical Exemption Requests** – None.

5. **Communications**

   A. **Correspondence** – Letter from Agricultural Commissioner David Frieders Concurring with Resolution No. 022-98-COE Urging Antimicrobials Review was read and acknowledged.

   B. **Hearing** – The hearing on potential San Francisco International Airport expansion was postponed until next year pending completion of an Airport staff report.

6. **Finance & Operations Committee Report.** No meeting was held in October; the next meeting will be November 16, 1998.

7. **Planning & Policy Committee Report.** Chairperson Evans reported that Brad Benson, legislative assistant to Supervisor Ammiano gave a cogent briefing on the two-part resource efficient buildings legislation to be introduced soon by the supervisor. The committee also reviewed the IPM fact sheets which will be used for public information and City staff training.

8. **Department Report.** Commission Secretary Chow reported on the progress of the IPM program and pending environmental legislation relating to resource efficient buildings and an environmentally preferred purchasing program (Supervisor Katz). Commissioners Eng and Richardson suggested that the department might want to describe the various barriers encountered to IPM implementation and document the difficulties as well as the successes of the IPM program. President Vietor suggested that Gregg Small of Pesticide Watch might be of assistance in this endeavor.

9. **President's Announcements.** President Vietor informed the Commission that the US Environmental Protection Agency has made dioxin pollution in San Francisco Bay a high priority for action and has set December 3 as the deadline for receipt of public comments on that issue. President Vietor also noted that Supervisor Newsom plans to introduce a dioxin resolution, based on the Commission's own Resolution No. 021-98-COE, to the Board of Supervisors on Monday, November 16, 1998. The city councils of Oakland and Berkeley will also have dioxin resolutions before them.

10. **Update on Director Search.** No news.

11. **Other Business.** None.

12. **Public Comment.** None.

13. **Adjournment.** The meeting was adjourned at 6:33 p.m.

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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DRAFT MINUTES
SPECIAL MEETING

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Tuesday, November 10, 1998
Room 430*, 401 Van Ness Avenue
San Francisco, California

1. Call to Order and Roll Call. The meeting was called to order at 6:45 p.m. by Vice President Krefting. Present were Commissioners Eng, Evans, and Okamoto. Commissioner Vietor was recused. Commissioners Richardson and Russell were absent.

2. Communications. None.

3. Other Business/Public Comment. None.

4. CLOSED SESSION

   The Commission on the Environment went into closed session pursuant to Government Code Section 54957 and Sa Francisco Administrative Code Section 67.10(b) to discuss personnel matters, including interviewing candidates fo department director position.

6. RETURN TO OPEN SESSION - The Commission unanimously voted not to disclose the discussion held in closed session.

7. Disclosure of any action taken to appoint, employ, dismiss, transfer, or accept resignation. None.

8. Adjournment. The meeting was adjourned at 8:15 p.m.

*Not the regular meeting time and/or place.

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NOTICE & AGENDA

SPECIAL MEETING

Tuesday, November 10, 1998
6:30 p.m.
Room 430*,
401 Van Ness Avenue
San Francisco, California

1. **Call to Order and Roll Call**

2. **Communications** — **INFORMATION**

3. **Other Business/Public Comment** — **INFORMATION**

4. **CLOSED SESSION**

THE COMMISSION ON THE ENVIRONMENT WILL GO INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 AND SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(B) TO DISCUSS AND POSSIBLY TAKE ACTION ON THE FOLLOWING:

Review of Personnel Matters including
Interviews for Department Director Position — **ACTION**

6. **RETURN TO OPEN SESSION - Discussion and vote on whether to disclose discussion held in closed session**

7. **Disclosure of any action taken to appoint, employ, dismiss, transfer, or accept resignation**

8. **Adjournment**

*Not the regular meeting time and/or place.

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Public Transportation

The closest BART station serving 401 Van Ness Avenue is the Civic Center station.

Accessibility of Meeting Location

The meeting room is accessible by wheelchair. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are the #42 Downtown Loop, #71 Haight/Noriega, the F-line to Market and Van Ness, and the MUNI Metro stations at Van Ness and Market and Civic Center. For more information about MUNI accessible services, please call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial complex.

Large print agendas, audio tapes of minutes, sound-enhancement equipment, and other services to aid the visually and hearing-impaired to attend the meeting are available by calling 554-6390.

Statement of Nondiscrimination

The Commission on the Environment does not discriminate on the basis of disability in employment or in the admission and access to its programs or activities.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

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FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

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SPECIAL MEETING
COMMISSION ON THE ENVIRONMENT

5:00 p.m*. Monday, November 16, 1998
Room 430*, 401 Van Ness Avenue

1. Call to Order & Roll Call
2. Approval of Minutes of Previous Special Meetings: October 22 & 31, 1998; November 5 & 10, 1998
3. **CLOSED SESSION** - THE COMMISSION ON THE ENVIRONMENT WILL GO INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 AND SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(B) TO DISCUSS AND POSSIBLY TAKE ACTION ON THE FOLLOWING: **ACTION**
   Review of Personnel Matters including
   Interviews for Department Director Position
4. **RETURN TO OPEN SESSION** – Discussion and vote on whether to disclose discussion held in closed session **ACTION**
5. Disclosure of any action taken to appoint, employ, dismiss, transfer or accept resignation
6. Adjournment

- Not the regular meeting place/time.

NOTICE AND AGENDA
FINANCE AND OPERATIONS COMMITTEE
6:30 p.m.
Monday, November 16, 1998

Room 430 , 401 Van Ness Avenue, San Francisco, California

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1. Call to Order and Introductions
2. Approval of Minutes of Previous Meeting, September 21, 1998 **ACTION**
3. Budget Planning for FY 1999-2000 **ACTION**
4. Other Business & Public Comment **INFORMATION**
5. Adjournment

ACCESSIBLE MEETING INFORMATION

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(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

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Draft Minutes
SPECIAL MEETING

5:00 p.m.* Monday, November 16, 1998 Room 430*, 401 Van Ness Avenue

1. Call to Order & Roll Call. The meeting was called to order by Commissioner Eng at 5:10 p.m.

2. Approval of Minutes of Previous Special Meetings: October 22 & 31, 1998; November 5 & 10, 1998. This item was deferred to a later date.

3. **CLOSED SESSION** - THE COMMISSION ON THE ENVIRONMENT WILL GO INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 AND SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(B) TO DISCUSS AND POSSIBLY TAKE ACTION ON THE FOLLOWING:

   Review of Personnel Matters including
   Interviews for Department Director Position

4. **RETURN TO OPEN SESSION** – Discussion and vote on whether to disclose discussion held in closed session

5. Disclosure of any action taken to appoint, employ, dismiss, transfer or accept resignation. None.

6. Adjournment. The meeting was adjourned at 6:45 p.m.

Draft Minutes
FINANCE AND OPERATIONS COMMITTEE
Monday, November 16, 1998
Room 430 , 401 Van Ness Avenue, San Francisco, California

1. Call to Order and Introductions. The meeting was called to order by Chairperson Krefting at 6:35 p.m.

2. Approval of Minutes of Previous Meeting, September 21, 1998. Deferred to the next meeting.

3. Budget Planning for FY 1999-2000. Deferred to the next meeting.

4. Other Business & Public Comment. None.

5. Adjournment. The meeting was adjourned at 6:45 p.m.

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NOTICE OF MEETING AND AGENDA

TUESDAY, DECEMBER 8, 1998
ROOM 207, WAR MEMORIAL PERFORMING ARTS CENTER
401 VAN NESS AVENUE, SAN FRANCISCO

REGULAR SESSION
6: 00 P.M.

COMMISSIONERS

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE L. ENG
REBECCA EVANS
PAUL C. OKAMOTO
LINDA RICHARDSON
CHRISTINE H. RUSSELL

CHRISTOPHER CHOW
COMMISSION SECRETARY

RONA SANDLER
DEPUTY CITY ATTORNEY

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(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

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ORDER OF BUSINESS
Tuesday, December 8, 1998
6 p.m.
Room 207, 401 Van Ness Avenue, San Francisco

1. **Call to Order and Roll Call**
2. **Approval of Minutes of November 10, 1998**
3. **Consent Calendar** - None. **ACTION**

REGULAR CALENDAR

4. **Chemical Exemption Requests** – Recreation & Park Dept. **ACTION**
   Avid 0.15EC (anti-mites & anti-sap-suckers)
   Banvel (herbicide)
   Mpede (insecticidal soap)
   Systhane (State quarantine program fungicide)

   Draft Resolution No. 025-98-COE Granting Chemical Exemption Renewals Requests
5. **Communications**
   A. **Correspondence –** **INFORMATION**
   Letter from Sister Bernie Galvin, Religious Witness with Homeless People re Presidio Transportation Resolution, Nov. 10, 1998; Secretary's reply, Nov. 18, 1998.

   B. **Hearing** – None.
6. **Municipal Fiscal Advisory Committee Update on Review of Environmental Functions** **INFORMATION**
   (Sandy Stadtfeld, Booz Allen & Hamilton, Inc.)
7. **Draft Resolution No. 001-99-COE Bylaws Amendment – Change of Regular Meeting Time and Location** **INFORMATION**
8. **Notice of Special Meeting of the Commission on Tuesday, January 12, 1999 at 6 p.m. in the Third Floor Conference Room of the Office of the City Administrator, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco** **INFORMATION**
9. **Finance & Operations Committee Report** **INFORMATION**
10. **Planning & Policy Committee Report** **INFORMATION**

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11. **Department Report** — **INFORMATION**
    Public Outreach, Potential Legislation, IPM program

12. **President's Announcements** — **INFORMATION**

13. **Other Business** — **INFORMATION**

14. **Public Comment** — **INFORMATION**

15. **CLOSED SESSION**
    THE COMMISSION ON THE ENVIRONMENT WILL GO INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 AND SAN FRANCISCO — **ACTION**

    ADMINISTRATIVE CODE SECTION 67.10(B) TO DISCUSS AND POSSIBLY TAKE ACTION ON THE FOLLOWING:

    Review of Personnel Matters

16. **RETURN TO OPEN SESSION - Discussion and vote on whether to disclose discussion held in closed session** — **ACTION**

17. **Disclosure of any action taken to appoint, employ, dismiss, transfer, or accept resignation** — **INFORMATION**

18. **Adjournment**

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

Draft RESOLUTION No. 025-98-COE **DECEMBER 8, 1998**

[GRANTING CHEMICAL EXEMPTION RENEWALS REQUESTS]

RESOLVED, That the Commission on the Environment grants one-year renewals of existing chemical exemptions for Avid 0.15 EC, Banvel, Mpede, and Systhane, as requested by the Recreation and Park Department, effective February 1, 1999.

DEPARTMENT OF THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

TO: Commissioners on the Environment
FROM: Al Hom, IPM Program Coordinator
RE: Department of Recreations & Park's Pesticide Exemption Renewals
DATE: December 1, 1998

Commissioners:

The Department of Recreation & Park has requested renewals of four (4) pesticide exemption on the following pesticides: *AVID 0.15 EC, M-PEDE, Banvel*, and *Systhane*. I will recommend approvals on these four pesticides but with reservations for the following reasons:

1. There is no registered alternative to M-PEDE, the insecticide soap. It is a safe and effective product use against mites, whiteflies, and other soft-bodied pests. Insecticidal soap has low toxicity to humans and wildlife, but can damage some plants, especially species with dull leaf surfaces or many hairs. The reason it carries a **WARNING** label is because of the potential eye and skin irritations to the applicator when accidentally sprayed or splattered.

2. AVID is used to control mites and sap-sucking insect pests. It has certain systemic qualities, permitting it to kill mites on a leaf's underside when only the upper surface was treated. I would like the Rec. & Park department to experiment with predatory mite releases and adjusting the humidity levels in greenhouses that may help lower the mite population.

3. The only compelling reason for approval recommendation for Systhane is because of the State requirement to use this fungicide as a treatment against chrysanthemum white rust as part of their quarantine program.

4. The Rec. & Park department has found a substitute for Banvel; however, it is requesting a 6-month exemption to use up the remaining Banvel inventory.

AVID and M-PEDE are candidates for the proposed Least-toxic Pesticide List.

Here are my reservations on granting approval recommendations:

1. In principal and in practice, the Rec. & Park department has not pursued an active course looking for safer alternatives or considered non-toxic methods. Since Bob Fiorello's departure as the IPM coordinator in July, the position has remained vacant.

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2. A "pesticide mentality" persists in the department. When a pesticide is banned, the acceptable and easier choice is to look for substitute pesticides.

3. There is no impetus or direction from the upper management to seek alternatives such as natural enemy releases or non-toxic methods. A positive step from management is to appoint a full-time IPM coordinator.

4. I would not be disappointed if the Commission votes to reject my recommendations. In doing so, it send a message to the Rec. & Park department to get its act together and take IPM seriously.

In fairness, I would like to point out that the blame should not be placed directly on the department for several reasons. First, without an IPM coordinator, there is no one to take the lead in searching for alternatives, training the staff on IPM principles and practices, and coordinating the program. Second, we have not developed an adequate staff-training program to teach basic pest identification, monitoring, and selecting control measures. The Department of Agriculture has set up several IPM workshops; however, the practicality and value of these workshops are debatable. Finally, there are limited availability of biopesticides and biocontrol agents for the urban environment. If certain pesticides are taken away, there are no other options left.

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EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	James M. Christensen(PCA, QAL, CCA) Ph: 695-5019 Fax: 221-8034	November 17, 1998
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		One Year

Request for Chemical Exemption

Chemical	Use
Avid 0.15 EC (WARNING LABEL) EPA REG # 618-96-AA	Primarily for the management of spider mites and to some extent insects in greenhouses and nurseries

Summarize Unsuccessful Search for Alternatives

SFRPD Has Searched for Less-Toxic Alternatives and has determined that a number of pesticides are labeled for the control of spider mites. This includes reduced-risk pesticides such as insecticidal soap and narrow range oils such as Ultra Fine Sun Spray Some predatory mites may also be effective biological control agents against pest spider mite species under certain climatic conditions.

As a Result of this Search, SFRPD has determined that oils and soaps are not compatible with the automated fogger typically used to treat sections of greenhouses. The use of oils and soaps may result in plant phytotoxicity on some sensitive plant species as well especially with repeated use. These materials are useful for spot treating a number of greenhouse pests including spider mites to provide a quick knockdown and are typically used in this fashion The use of predatory mites to manage pest mites has been tried in the past with limited success. SFRPD intends to re-establish biological controls for greenhouse pests this coming year 1999. The Department wishes to retain the use of Avid as a last resort measure for the control of two-spotted spider mites, other mite pests, and certain insect pests. The Department uses less than one quart of this product per year

SFRPD Plans to Continue this Search by consulting with the University of California Extension Service and others to find alternatives to Avid

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

PESTICIDE APPROVAL/REJECTION CRITERIA

The criteria are intended as safeguards for limiting pesticide use to products and circumstances that can be routinely implemented without jeopardizing environmental quality or public health and safety.

Product Name: AVID 0.15 EC

Active Ingredient : Avermectin

Class and Signal Word : Class II, Warning

1. **Is the pesticide effective against the target pest(s)?** Yes, Avid is effective against red-spotted mites, flies and mosquitoes

2. **Is the pesticide persistent?** No. Avid is rapidly degraded in soil; nearly insoluble in water; immobile in soil and unlikely to leach or contaminate groundwater.

   a) **biodegradable** Yes x No ____

   b) **groundwater contamination** Yes ____ No x

   c) **soil movement** Yes ____ No x

3. **Does the pesticide have adverse effects on non-target organisms?** Avid is practically nontoxic to birds but highly toxic to fish, aquatic invertebrates and bees.

4. **Are there viable alternatives available?** Yes. Mites can be controlled with predatory mite releases, stylet oil and insecticidal soaps.

5. **Does this pesticide fit into an urban IPM program?** Yes. Avid is an effective tool in an urban IPM program when use for spot treatments and quick knock-down.

6. **Are there other mitigating circumstances requiring the use of this pesticide?** No.

7. **Needs and application strategy**

   a) **location:** greenhouse and landscape

   b) **method of application:** spot treatments, broadcast spray, chemigation not allowed.

8. **Potential health dangers?**

   a) **cancer/tumor** Yes_____ No x

   b) **reproductive damage** Yes x No _____

   c) **Irritants:** Skin x Eye x Muscus _____

   d) **Others:** _____

8-9. **Does it require special handling and mixing?** No. Read instruction and oral notification

a) **protective clothing:** coveralls, chemical-resistant gloves, shoes plus socks, protective eyewear, and chemical-resistant headgear for overhead exposure.

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EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	James M. Christensen(PCA,QAL,CCA) Ph: 695-5019 Fax: 221-8034	November 17, 1998
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		SIX MONTHS

Request for Chemical Exemption

Chemical	Use
Banvel Herbicide CATEGORY 2 (WARNING) EPA REG # 55947-1-AA	**Herbicide used for the control of English Daisy and other broadleaf weeds on golf courses and Bermudagrass sports turf.**

Summarize Unsuccessful Search for Alternatives

SFRPD Has Searched for Less-Toxic Alternatives and has determined that VANQUISH Herbicide EPA#55947-46-AA, has been registered by the state of California under a cautionary label. This product meets the needs of this departments broadleaf control in turf and golf course settings at this time

As a Result of this Search, SFRPD has determined that an exemption for the herbicide Banvel will be necessary for six months, so that the Department can use up the remaining stocks of Banvel and purchase the new product Vanquish

SFRPD Plans to Continue this Search for alternatives in developing a Golf Course IPM Implementation Plan with the assistance of the Public Utilities Commission and the Bio-Integral Resource Center which is proceeding at Sharps Golf Course The plan contains elements that will be extended to athletic field management

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

Send to the Department of the Environment: 1540 Market Street, Suite 160, SF 94102

PESTICIDE APPROVAL/REJECTION CRITERIA

The criteria are intended as safeguards for limiting pesticide use to products and circumstances that can be routinely implemented without jeopardizing environmental quality or public health and safety.

Product Name: Banvel

Active Ingredient : dicamba

Class and Signal Word : Class II, Warning because of its irritating, corrosive effect on skin and eyes

1. **Is the pesticide effective against the target pest(s)?** Yes, however, a less-toxic alternative (Class III) has been registered in CA for controlling English daisy and broadleaf weeds.

2. **Is the pesticide persistent?** Yes. Dicamba is moderately persistent in soil. The half-life is typically 1-4 weeks. Dicamba slowly breaks down in sunlight. Degradation is by microbial action and increases with temperature and soil moisture.

   a) **biodegradable** Yes x No ____

   b) **groundwater contamination** Yes ____ No x

   c) **soil movement** Yes x No _____

3. **Does the pesticide have adverse effects on non-target organisms?** Dicamba is practically nontoxic to birds, fish, bees, and wildlife.

4. **Are there viable alternatives available?** Yes, *VANQUISH* herbicide has been registered in CA as a herbicide for broadleaf weed control.

5. **Does this pesticide fit into an urban IPM program?** n/a

6. **Are there other mitigating circumstances requiring the use of this pesticide?** Yes. The Department of Recreation & Park would like to use up their existing Banvel herbicides. This is a 6-month exemption request.

7. **Needs and application strategy**

   a) **location:** greenhouses and nurseries

   b) **method of application:** Applied to leaves or to the soil.

8. **Potential health dangers?**

   a) **cancer/tumor** Yes_____ No x

   b) **reproductive damage** Yes _____ No x

   c) **Irritants:** Skin x Eye x Muscus _____

8. d) Others: _____

9. **Does it require special handling and mixing?** No. 24 hrs. re-entry period.

a) **protective clothing:** long-sleeved shirt and long pants, waterproof gloves, shoes and socks and protective eyewear.

EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	James M. Christensen(PCA, QAL, CCA) Ph: 695-5019 Fax: 221-8034	November 17, 1998
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		One Year

Request for Chemical Exemption

Chemical	Use
MPede EPA REG #53219-6 Category 2 (WARNING)	Insecticidal Soap used as an insecticide and fungicide

Summarize Unsuccessful Search for Alternatives

SFRPD has Searched for Less-Toxic Alternatives and has determined that Mpede is the industry standard commercial version of Safer Soap and that there is no registered alternative to Mpede in California with a label appropriate for use by a government agency such as the Recreation and Park Department

As a Result of this Search, SFRPD has determined that an exemption is needed to permit the use of this insecticidal and fungicidal soap product

SFRPD Plans to Continue to search for a similar soap product with a CAUTION label that is registered with the state as a pesticide and is labeled for commercial use on ornamental plants and nursery stock.

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

PESTICIDE APPROVAL/REJECTION CRITERIA

The criteria are intended as safeguards for limiting pesticide use to products and circumstances that can be routinely implemented without jeopardizing environmental quality or public health and safety.

Product Name: M-Pede (Insecticidal soap)

Active Ingredient : potassium salts of fatty acids (49%), ethanol, denatured (36%)

Class and Signal Word : Class II, Warning

1. **Is the pesticide effective against the target pest(s)?** Yes, M-Pede is effective against soft-bodied insects such as aphids, whiteflies, and mites.

2. **Is the pesticide persistent?** No

   a) **biodegradable** Yes x No ____

   b) **groundwater contamination** Yes ____ No x

   c) **soil movement** Yes ____ No x

3. **Does the pesticide have adverse effects on non-target organisms?** slight effects on beneficial insects; may cause phytotoxicity (leaf burns) on plants.

4. **Are there viable alternatives available?** No. Other insecticidal soaps have Warning labels as well.

5. **Does this pesticide fit into an urban IPM program?** Yes. Insecticidal soaps can be a beneficial tool in an urban IPM program when use for spot treatments and quick knock-down.

6. **Are there other mitigating circumstances requiring the use of this pesticide?** No.

7. **Needs and application strategy**

   a) **location:** greenhouse and landscape

   b) **method of application:** spot treatments, general spray

8. **Potential health dangers?**

   a) **cancer/tumor** Yes_____ No x

   b) **reproductive damage** Yes _____ No x

   c) **Irritants:** Skin x Eye x Muscus _____

   d) **Others:** flammable

9. **Does it require special handling and mixing?** No. Read instruction and oral notification

8) a) **protective clothing:** coveralls, waterproof gloves, and shoes plus socks

EXEMPTION REQUEST SUMMARY

Department	Contact (Name & Phone)	Date Submitted
Recreation and Park Dept.	James M. Christensen(PCA, QAL, CCA) Ph: 695-5019 Fax: 221-8034	November 17, 1998
IPM Service Provider (If Different from the Department)		Length of Time Requested
Not Applicable		One Year

Request for Chemical Exemption

Chemical	Use
Myclobutanil	Active ingredient in Eagle (EPA #707-232) and Systhane (EPA # 707-253) Fungicides. Both are Category 2 (WARNING LABELED) pesticides.

Summarize Unsuccessful Search for Alternatives

SFRPD has Searched for Less-Toxic Alternatives and has determined that a number of fungicides that are labeled for turf and ornamentals contain ingredients that are potential, suspected, or known carcinogens and/or are linked to reproductive toxicity. Such products have been banned by Chapter 39 and are no longer used with the exception of PCNB.

As a Result of this Search, SFRPD has determined that The fungicides Eagle and Systhane both contain the active ingredient myclobutanil and both are category two pesticides that carry a WARNING label. These two products however are considered by the USEPA as non-carcinogenic and do not appear on the Proposition 65 List. Eagle was tested on SFRPD golf courses this past year with favorable results. Furthermore, the State last year identified the Golden Gate Park Nursery as a source of Chrysanthemum white rust innoculum and has required that all subsequent mum cuttings rooted at the nursery are treated with Systhane fungicide as part of a mandatory quarantine program. The Department also believes from recent investigations that Systhane may prove to be a suitable replacement for other banned fungicides previously used in the Department's nurseries and in the Golden Gate Park Rose Garden to manage Black Spot Disease.

SFRPD Plans to Continue this Search by actively investigating the potential of other fungicides that fully comply with Chapter 39 and are compatible with IPM methods. There is no alternative to using Systhane for dipping mum cuttings in accordance with the State quarantine. Information pertaining to the quarantine is available from the San Francisco Department of Agriculture.

Request for Notice Rules Change

Summarize Requested Change N/A

☐ One Time ☐ Permanent

Commission Action

Consideration date	Explanation of Denial
☐ Granted ☐ Denied	

Send to the Department of the Environment: 1540 Market Street, Suite 160, SF 94102

PESTICIDE APPROVAL/REJECTION CRITERIA

The criteria are intended as safeguards for limiting pesticide use to products and circumstances that can be routinely implemented without jeopardizing environmental quality or public health and safety.

Product Name: Systhane

Active Ingredient : myclobutanil

Class and Signal Word : Class II, Warning

1. **Is the pesticide effective against the target pest(s)?** Yes. The State of California requires the use of this fungicide to treat mum cuttings against chrysanthemum white rust.

2. **Is the pesticide persistent?** The product should not be applied to water or to areas where surface water is present, however, the product is used as a dip supension.

3. a) **biodegradable** Yes x No ____

   b) **groundwater contamination** Yes x No ____

   c) **soil movement** Yes ____ No x

3. **Does the pesticide have adverse effects on non-target organisms?** Does not apply when used as a dip suspension.

4. **Are there viable alternatives available?** No. State of California requires the use of this fungicide for controlling chrysanthemum white rust.

5. **Does this pesticide fit into an urban IPM program?** This product was effective against black spot diseases, however, alternatives have not been investigated.

6. **Are there other mitigating circumstances requiring the use of this pesticide?** Yes. State requirement for chrysanthemum white rust treatment control.

7. **Needs and application strategy**

   a) **location**: nurseries

   b) **method of application**: dip treatment

8. **Potential health dangers?**

   a) **cancer/tumor** Yes_____ No x

   b) **reproductive damage** Yes _____ No x

   c) **Irritants:** Skin x Eye x Inhalation x

   d) **Others:** _____

1540 MARKET STREET, SUITE 160 · SAN FRANCISCO, CALIFORNIA 94102
PHONE 415-554-6390 · FAX 554-6393

8) 9. **Does it require special handling and mixing?** No.

a) **protective clothing:** long-sleeved shirt and long pants, waterproof gloves, shoes and socks, protective eyewear, and chemical-resistant headgear for overhead exposure.

Religious Witness with Homeless People
P.O. Box 420486 San Francisco, CA 94142-0486 Phone: (415) 863-3611 Fax: (415) 863-3621

November 10, 1998

Francesca Vietor
Environmental Commission
1540 Market Street, Suite 160
San Francisco, CA 94102

Dear President Vietor:

At the Board of Supervisors hearing on October 20, 1998 concerning the relationship of the Presidio with the City and County of San Francisco, I was amazed to learn of a recent resolution by the City's Environmental Commission which appears to be in direct contravention of the official City of San Francisco policy passed by the voters last June 1998 establishing the basis for providing additional services to the federal jurisdictional area within our city known as the Presidio.

With the backing of Mayor Brown and seven Supervisors, the electorate approved Proposition L in the June 1998 Ballot setting out terms for providing non-emergency services to the Presidio such as Muni and Transportation services, making these conditional on the availability of some of the 1,900 housing units at the Presidio for very low-income people now living in San Francisco.

The Environmental Commission resolution as read to the Board of Supervisors at the hearing flies in the face of that policy. Your resolution without any such condition or even the recognition of the voter approved policy calls upon City agencies to actually and unilaterally expand such non-emergency transportation services such as Muni while completely ignoring any of the terms and conditions for providing those services governed by Proposition L.

I would appreciate a full explanation of the decision making on this resolution which appears to disregard the well-known policy of the Mayor and the electorate of San Francisco. I would also appreciate 1) a copy of the actual resolution as read to the Board of Supervisors, 2) a list of the commission members and staff members, and 3) the minutes of the meeting(s) at which this resolution was discussed and voted upon. If you have any questions, please do not hesitate to contact me at 863-3611.

In the future, I wish to be placed on the permanent list of San Franciscans receiving notification of all upcoming Environmental Commission meetings so that I might attend and follow the workings of our public commission.

Sincerely,

Sister Bernie Galvin, cdp

Sister Bernie Galvin, cdp
Director

cc: Commission Secretary Christopher Chow

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

FRANCESCA VIETOR, PRESIDENT
STEVEN KREFTING, VICE PRESIDENT
ANNE LEE ENG
REBECCA EVANS

PAUL OKAMOTO
LINDA RICHARDSON
CHRISTINE RUSSELL

November 18, 1998

Sister Bernie Galvin, cdp
Director
Religious Witness with Homeless People
P.O. Box 420486
San Francisco, CA 94142-0486

Dear Sister Galvin,

President Vietor of the Commission on the Environment is out of the country until next year and has asked me to respond to your letter of November 10, 1998.

We fully appreciate your comments and concern regarding our resolution urging more and better public transportation services in, around, and to the Presidio.

The thrust of the resolution was to draw the attention of relevant policy-makers to the need for protection of the Presidio from the adverse effects of private automobile traffic and to the need for improved public transportation access for new and existing Presidio residents, workers, employers, and visitors.

As per your request I am forwarding to you 1) a copy of the resolution, 2) a list of the Commissioners and Department staff members, and 3) the minutes of the meetings at which this resolution was considered and adopted. You have also been placed on our mailing list for notices and agenda.

We look forward to working with you to improve the environmental sustainability of San Francisco.

Sincerely,

Christopher Chow
Commission Secretary

Enclosures
cc: Commissioners, Commission on the Environment

1540 MARKET STREET, SUITE 160, SAN FRANCISCO, CALIFORNIA 94102
WWW.CI.SF.CA.US/ENVIRONMENT
TELEPHONE (415) 554-6390 FAX 554-6393 E-MAIL: ENVIRONMENT@CI.SF.CA.US

8

COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

draft RESOLUTION No. 001-99-COE **January 12, 1999**

[AMENDMENT TO BYLAWS, Regular Meetings, Article VII, Section 3]

RESOLVED, That the Commission on the Environment amends Article VII-Meetings, Section 3: Regular Meetings as follows:

Regular meetings shall be held on the third Monday of each month, except in the case of City-recognized holiday, when the meeting shall be held on the following Monday of that month. Meetings shall be held at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400, in the City and County of San Francisco.

TO: Commissioners, Commission on the Environment
FROM: Christopher Chow, Commission Secretary/Public Outreach Coordinator
RE: **Monthly Report for November, 1998**
DATE: December 2, 1998

ADMINISTRATION

Fiscal

Leirion Gaylor, budget analyst in the Mayor's Office of Finance and Legislative Affairs, contacted the Department regarding preparations for submitting a budget request for the next fiscal year, 1999-2000. Secretary Chow met with Ms.Gaylor for a preliminary overview of the budget process and new narrative formats for FY 99-00. The new narrative guidelines and a sample rendition are enclosed with the Commission's December agenda packet.

Personnel

No news.

Facilities

The Commission on the Environment has been assigned Room 400 in the retrofitted City Hall as its regular meeting place by the Policy Group, a body organized by the Department of Administrative Services, which is charged with the responsibility of overseeing City Hall facilities. The new room assignment unfortunately means the Commission would have to change its regular meeting date to **the third Monday of each month** instead of the **current second Tuesday of each month**. City Administrator Bill Lee has suggested we can meet in the conference room of the Office of the City Administrator on the Third Floor of City Hall at our regular time and location pending permanent meeting arrangements.

PROGRAMS & PROJECTS

Integrated Pest Management Program

Program Status Report

IPM Program Coordinator Al Hom is preparing an overview of the status of the San Francisco IPM program covering accomplishments, problems, and recommendations. This is distinct from the Quarterly Report to be delivered by Agricultural Commissioner David Frieders of the Department of Agriculture, Weights and Measures in January, 1999.

Antimicrobials

Supervisor Katz's legislation amending the IPM Ordinance to incorporate the recommendations of the Commission's Resolution No. 022-98-COE to extend the existing exemptions covering antimicrobial agents for one more year and urging a review of the City's current use of antimicrobial agents and recommendations on ways to reduce antimicrobial uses was adopted by the Board of Supervisors on

November 23, 1998. It should be signed by Mayor Brown by year-end. IPM Program Coordinator Hom is continuing his research and consultation with such experts as Dr. Robyn Gershon (Johns Hopskins Hospital), Dr. Charles Gerba (University of Arizona), Dr. Don Vesley (University of Minnesota), Brad Mitchell (State of Massachusetts), and Lyn Hawkins (California Department of Pesticide Regulations).

Fact Sheets

Reproduction, Mail & Graphics Services is in the process of converting our original Windows-based IPM fact sheets (15 different editions) to Mac-based disks compatible with their printing machines. We hope to have the initial batch of 500 sets ready for distribution by year's end.

IPM Website

No further progress since last month when it was decided to create a link in the IPM website to the chemical pesticide database available on the California Department of Pesticide Regulation, thereby facilitating transfer of the IPM website from Global Cities Online to the City website.

Ctiywide Compliance

To date **33 of** 49 departments required to submit IPM plans have now done so. Our anticipation that the remaining departments will have submitted their IPM plans before the end of the calendar year has been pushed back. The City Planning Department, Controller's Office, Mayor's Office, and the Human Rights Commission have IPM coordinators in training; we expect preliminary plans to be forthcoming upon completion of training— those departments are deemed to be progressing towards compliance. The Department of Public Health, the Police Department, and the Recreation & Park Department are non-compliant.

IPM Position Classifications in Big Seven City Departments

A meeting of IPM Coordinator Hom, Commissioner Steven Krefting, and Dan McKenna of Rec & Park has been scheduled for December 7 to discuss options.

Public Outreach, Education and Media

City Hall Kiosk Brochures

The Department's City Hall brochure text has been finalized and delivered to the Department of Administrative Services. The text contains a concise description of the the Department and the Commission and a list of helpful telephone numbers to the City's most frequently requested environmental services. A copy of the text is included in the December agenda packet.

Annual Report

Printing of the Annual Report has been completed. We have about 300 copies ready for distribution to those on our mailing list and other interested parties.

Environmental State of the City Report

The 1994 edition, which has been out of print, will be re-issued as a photo-reproduction in response to public demand and in preparation for an update or completely new edition. Draft copies are available at the Department office.

Environment Web Pages
No news.

Weekly Environmental Indicators Report In the News Media Proposal
No news.

Department Logo
This project remains on hold.

Review of City's Environmental Functions
The Municipal Fiscal Advisory Committee (MFAC) staff has completed Phase I reconnaisance interviews (with Commissioners and Department staff) and is drawing up some preliminary hypotheses. Team Leader Sandy Stadtfeld of Booz Allen & Hamilton, Inc., will give the Commission a status report at the December 8th regular meeting.

Sustainability Planning
We continue to fill requests from the public and those referred by Sustainable City for copies of the *Sustainability Plan* and the *Environmental State of the City Report.* The costs of first-class postage for each publication is $3 a copy. The copying and binding costs for the *Environmental State of the City Report* amount to about $15 a copy.

LEGISLATION

Dioxin Resolution
This resolution, introduced by Supervisor Newsom on November 23, 1998, practically mirrors the Commission's resolution on dioxin, public health and the environment with one significant provision. Instead of urging the Board of Supervisors to establish a task force to study the implications of eliminating dioxin and the products and processes that can produce dioxin, the resolution urges the Commission on the Environment to undertake that task.

IPM Ordinance Amendment (Antimicrobials)
Supervisor Katz's legislation amending Chapter 39 of the Administrative Code (IPM Ordinance) to extend by one-year the existing exemptions for antimicrobial agents while a study of alternatives is undertaken by the Department of the Environment was adopted by the Board of Supervisors on November 23, 1998. We anticipate Mayor Brown will sign it into law before December 31, 1998, the expiration date of the existing antimicrobial exemptions.

Resource Efficient Buildings
Introduction to the Board of Supervisors of this two-part legislation by Supervisor Ammiano is pending. The supervisor's office is working with the Department of Human Resources and the Controller to prepare a supplemental appropriation request to fund a staff position for the Resource Efficient Buildings program. This would probably accompany the legislation.

Environmentally Preferred Purchasing Program

This program, previously called the Toxics Minimization Program and later the Toxics Use Reduction Program, calls for a pilot program focused on chemically-based products for custodial care, fleet and shop maintenance operations. Under legislation being drafted by the City Attorney's office and Supervisor Katz, the program creates a task force to develop criteria for minimization and an infrastructure for a current assessment of toxic products being used by the City. Implementation of a review of antimicrobial products could be enabled through this legislation

Introduction to the Board of Supervisors is pending.

Air Quality Legislation

No news.

SPECIAL PROJECTS

None at this time.

DEPARTMENT NAME

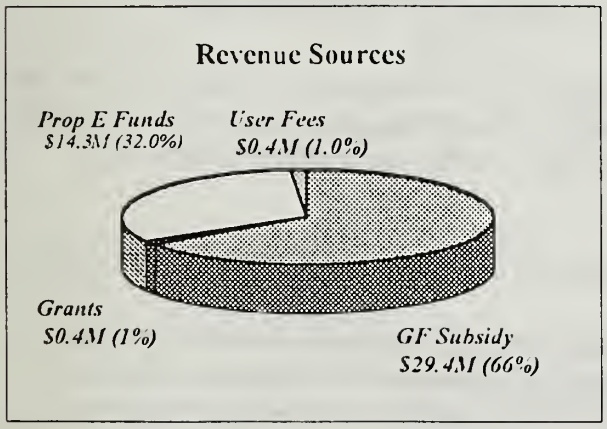
MISSION: [Mayor's Budget Office to insert Department Name and Mission for each template. Given that the purpose of a mission statement is to provide long-term strategic direction, we will insert the same mission statements provided by departments last year. If significant changes in the past year have altered those missions, departments may submit revised versions.]

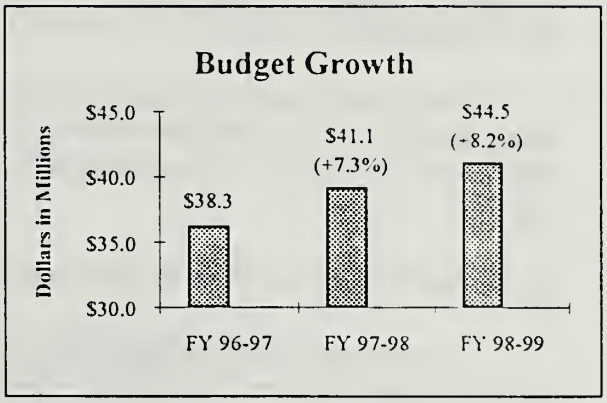
SERVICES: [Mayor's Budget Analysts and the departments together will develop a high level summary list of major services of the departments, e.g., Street Cleaning Services, Building Maintenance and Operations.]

BUDGET DATA SUMMARY: [Mayor's Budget Analysts will work with the Controller to complete the chart below.]

	FY 97-98 Actual Budget	FY 1998-99 Revised Budget	FY 1999-2000 Proposed Budget	Proposed vs. Revised Variance	Variance as a %
Total Expenditures	$	$	$	$	%
Total FTE	#	#	#	#	%

[Mayor's Budget Analysts will work with the departments to select two charts to be placed below – one focused on revenues, the other on expenditures. These may include, but are not limited to department 'Revenue Sources,' 'Revenue Growth,' 'Program Expenditures,' 'Budget Growth,' 'Expenditures by Category,' and 'Percent of Major Service Area Budget.' Data will be updated with FY 1999-2000 figures as they become available. Additional relevant charts may be included in the body of the narrative.]





STRATEGIC ISSUES:

[Mayor's Budget Analysts will work with departments to identify up to five strategic issues to be summarized here. A fuller discussion of the issues will follow on the next page.]

- e.g., Addressing the impact of increased public utilization of services

FY 1999-2000 BUDGET ADJUSTMENTS

[Bullet points summarizing major changes in department's budget approved by the Mayor, to be inputted by Mayor's Budget Analysts.]

- $X for _____ to do _____

STRATEGIC BUDGET ISSUES

[This section provides an opportunity to highlight and to explain any recent changes in the circumstances under which the department carries out its mission. Please use the following format to identify the issue and to explain it's impact on your department's service delivery and/or operations. Repeat the format for each issue identified.]

A. Identify the issue.

Discuss major changes in your department's environment that will alter your department's operations in FY 1999-2000. Examples of factors that affect the department as a whole include, but are not limited to, the following:

- new or modified legislation
- demographic changes, e.g. increases/decreases in the total client population
- revenue shortfalls/increases, e.g. withdrawal/receipt of grant funds
- personnel increases/decreases
- interdepartmental actions
- internal reorganization
- Charter Amendment calling for customer service plans

B. Discuss issue's impact on department's programs.

Identify and discuss the major program(s) and services of your department that are affected by the issue. Rather than describe the functions of the program, explain how the program has been affected by the factors discussed in Section A. This discussion could include, but is not limited to, the issue's impact on the program's goals and objectives, operations, and customer service level.

C. Highlight Department's Responses in the FY 1998-99

Please discuss how your department is currently addressing the strategic issue within its FY 1998-99 budget allocation. Include pertinent budget data associated with the programs and services, e.g., how funds in your FY 1998-99 budget were increased/decreased/shifted from the prior year to address the issue more effectively.

D. Summarize Department's Proposed Actions in FY 1999-2000

Please discuss how your department plans to address the strategic issue *within its FY 1999-2000 budget baseline allocation*. Again, rather than simply describe the functions of the department's various divisions or bureaus, please discuss any planned changes in the organization and the intended outcomes of *programs and services* designed to respond to the strategic issues. Include pertinent budget data associated with the programs and services, e.g., how funds in the department's FY 1999-2000 baseline budget have been shifted to reflect its priority issues. Do not discuss proposed program enhancements here.

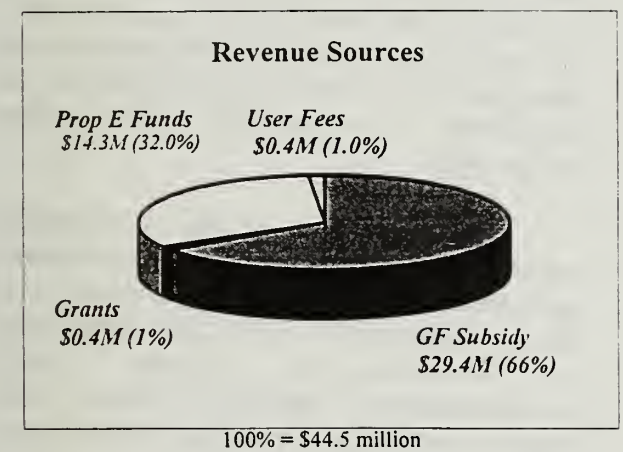
PUBLIC LIBRARY

MISSION: The mission of the San Francisco Public Library system is to provide free and equal access to information, independent learning services, and the City's extensive collection of books and materials.

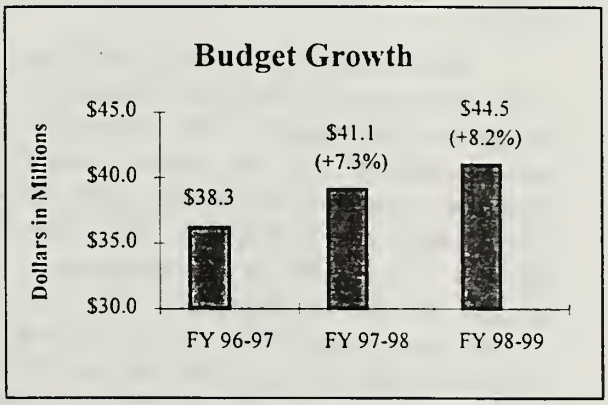
SERVICES: Main Library, 26 Branch Libraries, Children's Program and Bookmobile, Friends for Life Outreach Project, Library on Wheels, Youth Guidance Center Collaborative

BUDGET DATA SUMMARY:

	FY 97-98 Actual Budget	FY 1998-99 Revised Budget	FY 1999-2000 Proposed Budget	Proposed vs. Revised Variance	Variance as a %
Total Expenditures	$41.2M	$44.5M	$48.3M	$3.8M	8.5%
Total FTE	579.1	575.0	570.2	<4.8>	-0.1%



100% = $44.5 million



STRATEGIC ISSUES:

- Addressing the impact of increased public utilization of services
- Strengthening personnel controls and fiscal accountability
- Improving the conditions of branch facilities

FY 1999-2000 BUDGET ADJUSTMENTS

- $110,000 for a cost of living adjustment to maintain the book budget
- 0.5 new FTE to staff the new Oceanview Branch Library
- $25,000 for consultant services to help the Library utilize its position control system to develop a strategic hiring plan.
- $250,000 to repair and rebuild roofs at the Bernal, West Portal, and North Beach branch libraries

Addressing the Impact of Increased Public Utilization of Services

Legislative changes increased funds for books and service hours. Proposition E's passage in 1994, which continues to provide the department with dedicated property tax revenue and a stable funding base from the City's General Fund, allows the Library to purchase a greater number of books and materials on an annual basis. This legislation also permitted the Library to increase system-wide operating hours from 801 hours per week to 1,172 hours per week. These expanded hours of service and the opening of the new Main Library in 1996 have led to tremendous recent growth in the public's use of the Library system.

The resultant increased public use of Library services has placed new demands on the department's management and operations. To meet the needs of a growing base of patrons, the Library has increased the efficiency of its services and improved the facilities in which they are delivered. The Library's management and technical services divisions have taken steps to improve book purchasing and processing, to develop adequate and accessible facilities that can display more books, to expand theft and damage protection for the collections, and to increase check-out speed. Additional changes made in FY 1998-99 have furthered the Library's efforts to provide excellent customer service. The department received a $105,000 cost of living adjustment to maintain its book budget, as well as $2.5 million in capital funds to begin construction of a new, ADA-accessible Oceanview Branch Library. The Main Library expanded its open shelving by an additional 1,200 books that were previously on reserve in closed stacks.

The Library continues to expand funding for books and to create new facilities in order to accommodate growing public usage. In FY 1999-2000, the department will receive another three percent cost of living adjustment, totaling $110,000 to maintain its book budget. The Library will complete the construction of the Oceanview Branch and receive one new staff position dedicated to that site upon its opening, slated for February 2000. Additionally, fifty percent of all books currently stored in Brooks Hall, a storage facility adjacent to the Main Library, will be placed on open shelving. This change will decrease the department's rental costs by $50,000 annually.

Strengthening Personnel Controls and Fiscal Accountability

Management and budget restructuring recommendations seek to address concerns about the Library's fiscal controls. In response to projected budgetary shortfalls in FY 1996-97 and concern about the Library's future financial performance, the Mayor's Office commissioned a strategic audit of the department in January 1997. The audit evaluated the department's finances and operations, and made recommendations for management reorganization and budget restructuring.

Implementation of the recommended restructuring has begun. Through a supplemental appropriation in FY 1997-98 and revisions to its baseline budget in FY 1998-99, the Library began to implement the strategic audit's recommendations. Paramount among these strategic priorities is the development of a new fiscal expenditure authorization process. New positions, including a Chief Fiscal Officer and Deputy City Librarian, were created to provide additional leadership and support for this effort to improve the department's fiscal oversight and accountability. In addition, the department's Personnel division purchased six computers to help implement the new automated position control system. This system will improve the department's capacity to track its extensive part-time and grant-supported workforce and their associated funding sources.

The proposed FY 1999-2000 Library budget will increase management efficiency. In FY 1999-2000, the department will receive $25,000 for consultant services to help the Library utilize its position control system to develop a strategic hiring plan. The plan will help the

department monitor its vacancy rates and plan its personnel configurations more systematically as it hires in accordance with the strategic audit's recommendations.

Improving the Conditions of Branch Facilities

Deferred maintenance and adverse weather conditions have contributed to the decline of numerous branch facilities. To protect these buildings, their books, and the public, the Library received $250,000 in 1998-99 to begin a major capital improvements initiative. Roofs at the Merced, Parkside, and Anza branches were repaired or replaced. An additional $75,000 advanced the renovation of the Mission Branch. With its facilities maintenance budget more than doubled, the Library completed heating system repairs, lighting improvements, and lead paint abatement in select branches.

The Mayor's Proposed FY 1999-2000 budget continues the progress of these capital improvement initiatives. The Library will receive $250,000 to repair roofs at the Bernal, West Portal, and North Beach Branches. The continuation of the $140,000 increase to the facilities maintenance budget will allow the Library to install an air conditioning system in the Chinatown Branch and to make sidewalk repairs at several branches.

To the right is the text of the City Hall brochure that will be placed in a public informational kiosk, as requested by the Department of Administrative Services.

The format is a uniform that will be used by all departments.

The brochure will be in English, Chinese and Spanish.

The telephone numbers listed are those of the Department of the Environment and those services most frequently asked for by the public.

DEPARTMENT of THE ENVIRONMENT

The Department of the Environment is the City's central point of information and referral to the public and City departments on environmental matters.

It was created by the City Charter in 1995 to advise, review, and investigate City policies and practices on environmental matters, such as recycling, solid waste management, energy and natural resource conservation, urban forestry, habitat restoration, hazardous materials, plants and wildlife, toxics, and environmental justice.

Integrated Pest Management Program	554-6399
Guide to SF Environmental Services	554-6391
Environmental State of the City Report	
Sustainability Plan for the City of San Francisco	

Illegal Dumping, Graffiti	695-2017
Hazardous Waste, Paint, Oil, Needles	554-3444
Toxics, Asbestos	206-5477
Lead	554-8930
Smoking Vehicles	1-800-EXHAUST
Outdoor Air Polltion	1-800-334-ODOR
Indoor Air Pollution	252-3800
Sewer Odor	557-6833
Storm Drains	695-7317
Noise Abatement	553-1012
Noise Pollution	554-2770
Recycling	554-3400

COMMISSION ON THE ENVIRONMENT

The COE advises the City and conducts hearings on various environmental issues. For information on meeting location and dates call 554-6390.

For more information or contact:

1540 Market Street, Suite 160
San Francisco, California 94102

(415) 554-6390

www.ci.s[illegible]us/Environment

FILE NO. _____ RESOLUTION NO. _____

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[DIOXINS]

ESTABLISHING DIOXIN AS A HIGH PRIORITY FOR IMMEDIATE ACTION FOR THE CITY AND COUNTY OF SAN FRANCISCO IN ORDER TO RESTORE WATER QUALITY AND PROTECT THE PUBLIC HEALTH AND ENABLING THE SAN FRANCISCO COMMISSION ON THE ENVIRONMENT TO CREATE A TASK FORCE AND REPORT BACK ON STRATEGIES TO ENSURE THAT LESS TOXIC, NON CHLORINATED SUSTAINABLE PRODUCTS AND PROCESSES ARE ACTIVELY SUPPORTED

WHEREAS, The term dioxin represents the group of chemicals that includes furan and biphenyl compounds; and,

WHEREAS, Dioxin is a toxic waste byproduct that occurs when chlorinated waste is burned and when other organic chemicals that contain chlorine are manufactured and which in itself has no commercial or industrial use; and,

WHEREAS, Dioxin is dangerous to humans and is a known human carcinogen and reproductive toxicant; and,

WHEREAS, The United States Environmental Protection Agency estimates the lifetime risk of contracting cancer from dioxin exposure is generally above accepted safe levels, and the U.S. EPA Draft Dioxin Reassessment has found dioxin 300,000 times more potent as a carcinogen that DDT; and,

WHEREAS, Dioxin exposure has been linked in some reports to endometriosis, immune system impairment, diabetes, neurotoxicity, birth defects, decreased fertility, testicular atrophy and reproductive dysfunction in both men and women; and,

WHEREAS, Dioxin exposure is significant and universal; more than 90 percent of human exposure to dioxin occurs through diet and that every person in the world now carries a "body burden" of dioxin; and,

WHEREAS, Americans ingest a daily amount of dioxin that already is 300 to 600 times higher than the EPA "safe dose" levels and the EPA estimates that eating just one quarter pound of San Francisco Bay fish daily causes cancer risks to increase to a level of nearly one in 1,000; and,

WHEREAS, San Francisco residents who consume fish from the Bay are at additional risk, dioxin contamination in fish reaches health advisory levels throughout the San Francisco Bay; and,

WHEREAS, Respected expert associations and agencies including the California Medical Association, the American Public Health Association, the Chicago Medical Society and the International Joint Commission, comprised of the governments of Canada and the U.S., have agreed upon the need to reduce or eliminate dioxin in the environment; and,

WHEREAS, Dioxin has been detected in at least 27 measurements of treated waste water discharged from pollution sources in the Bay Area; and,

WHEREAS, The San Francisco Bay Regional Water Quality Control Board has resolved that dioxin is a high priority for immediate action to restore water quality and protect public health; and,

WHEREAS, Sources of dioxin pollution include medical and hazardous waste incineration, the production of polyvinyl chloride (PVC) plastics, biomass combustion, diesel exhaust, pesticide

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manufacturing, paper production, oil refineries, and urban street runoff; and,

WHEREAS, The healthcare industry is one of the largest consumers of products that create dioxin in the United States, the only operating commercial medical waste incinerator in the state of California is located in the City of Oakland, San Francisco public health care institutions generate significant amounts of medical waste designated for Oakland's incinerator and, due to its proximity to San Francisco, the Oakland incinerator threatens or harms public health, fishing and aquatic life throughout San Francisco Bay; and,

WHEREAS, A strategy which eliminates the production of dioxin is the only viable course in protecting public health because once dioxin is produced, it is very difficult to destroy or degrade; and,

WHEREAS, Adverse health effects from dioxin exposure can be reduced through purchasing decisions that reduce or eliminate products that produce dioxin such as PVC-free plastic or chlorine-free paper); and alternative, less toxic options exist for many products that create dioxin; and,

WHEREAS, Pollution prevention is recognized as the most effective waste management strategy; and,

WHEREAS, Careful waste segregation has been proven to reduce dramatically the medical waste requiring incineration and cost-effective technologies which are alternatives to incineration exist for almost all the waste that does need special handling; and,

WHEREAS, Dioxin is a threat to public health and the environment, zero exposure is the only strategy that truly protects

1 public health, local dioxin contamination has a disproportionate
2 impact on low-income and minority communities; and dioxin exposure
3 affects all residents of San Francisco and the Bay Area; now,
4 therefore, be it
5 RESOLVED, That that the City and County of San Francisco intends
6 by implementation of this resolution to eliminate dioxin; and, be it
7 FURTHER RESOLVED, that the City and County of San Francisco
8 designates dioxin pollution as a high priority for immediate action
9 to restore water quality and protect public health; and, be it
10 FURTHER RESOLVED, That the Commission on the Environment
11 establish a task force which would identify the sources of local
12 dioxin pollution, including sources known to and/or emitted from the
13 Public Utilities Commission, the Public Transportation Department, as
14 well as any and all other City department; this task force would also
15 develop dioxin pollution prevention strategies along with any
16 associated cost implications, and make any further recommendations to
17 implement the intent of this resolution; and be it;
18 FURTHER RESOLVED, That each relative department of the City and
19 County of San Francisco report to the Board of Supervisors on
20 strategies they are using to ensure that less-toxic, non-chlorinated,
21 sustainable alternative products and processes, such as chlorine-free
22 paper and PVC-free plastics, are actively supported and used by the
23 City and County of San Francisco; and, be it
24 FURTHER RESOLVED, That the Department of Public Health educate
25 people who live and work in San Francisco, and others as appropriate,
about the health and environmental effects of dioxin; and be it;

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FURTHER RESOLVED, That the Department of Public Health report to the Board of Supervisors on the costs it would incur if San Francisco-based health care institutions reduced the usage of PVC products and eventually became PVC-free; and, be it

FURTHER RESOLVED, The City and County of San Francisco send a letter to the City of Oakland supporting zero-dioxin emission and zero-dioxin exposure and notify the City of Oakland that the City and County of San Francisco has designated dioxin pollution as a high priority for immediate action to restore water and air quality and protection public health; and be it,

FURTHER RESOLVED, The City and County of San Francisco send a letter to the U.S. Environmental Protection Agency supporting its proposal to require community right-to-know reporting of dioxin release and support the Environmental Protection Agency's decision to make dioxin pollution of the San Francisco Bay a high priority under the U.S. Clean Water Act, section 303(d).

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COMMISSION ON THE ENVIRONMENT
CITY AND COUNTY OF SAN FRANCISCO

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DRAFT MINUTES
Tuesday, December 8, 1998
Room 207, 401 Van Ness Avenue, San Francisco

1. **Call to Order and Roll Call.** The meeting was called to order at 6:06 p.m. by Vice President Krefting. Present were Commissioners Eng, Evans, Okamoto, and Richardson. Commissioners Russell and Vietor excused.

2. **Approval of Minutes of November 10, 1998.** Without objection, approved unanimously.

3. **Consent Calendar** - None.

REGULAR CALENDAR

4. **Chemical Exemption Requests** – Recreation & Park Dept. (represented by James Christensen) The Commission discussed and voted on the requests individually and moved for adoption *in toto*. IPM Program Coordinator Al Hom said he was recommending approval of the exemption renewal requests, however with reservations. He expressed concern that "the Recreation & Parks Department has not pursued an active course looking for safer alternatives or considered non-toxic methods." Nevertheless he was recommending approvals because the requesting department's " staff should not be punished for circumstances out of their control" (a vacancy in the department's IPM coordinator position over the last three months).

Avid 0.15EC (anti-mites & anti-sap-suckers). James Christensen of the Recreation & Parks Department said "Avid has been used with whitefly very well (in nursery stock), not in open areas." Approved unanimously upon motion by Commissioner Richardson.

Banvel (herbicide). In response to a question regarding monitoring of Banvel's application, Mr. Christensen reported that he has just purchased Vanquish to replace Banvel (five gallons of which remain from the current year's stock . Vanquish is less toxic and carries a Caution label because, he surmised, one of the inert ingredients in Banvel is not in Vanquish. Commissioner Eng expressed concern about the legal test for granting exemptions, particularly in the case of "having product on hand." Commissioner Krefting read from the IPM Ordinance citing "compelling need" as a criteria for granting exemptions. When asked how the department would deal with old stock, Mr. Christensen said it is not hazardous waste until it is dumped and further that the usual practice is to try to return the old stock to the manufacturer, "have a broker take it off our hands", or have it disposed of in a class A dump or an incinerator (which would produce dioxin, noted one commissioner). Commissioner Richardson expressed concern that the product "could be re-sold elsewhere. We need to have a policy here — this opens another issue, what are proper dispositions? This violates the spirit of sustainable communities and we would rather incur the economic loss. Commissioner Evans asked how much Banvel costs. Mr. Christensen said "$215 a gallon, or about $1,000" for the five gallons in stock. He noted also that less-toxic chemicals are becoming more expensive as well. Commissioner Eng voted nay in the 4-1 vote to approve.

Mpede (insecticidal soap). In response to questions, Mr. Hom said M-pede is an insecticidal soap that is mixed in the proportion of one teaspoon to a gallon of water. It carries an EPA Warning label beccause of potential eye injury from splattering. Approved unanimously upon motion by Commissioner Okamoto.

Myclobutanil (active ingredient in **Eagle** and **Systhane**). In answer to Commissioner Krefting's question about the consequences of denying the exemption renewal for this State-quarantine-program-required fungicide Mr. Christensen said the chrysantemum industry can be devastated because chrysanthemum white rust innoculum

spreads rapidly. Application of this fungicide is only in the nursery by dipping or spraying (less likely).

Commissioner Evans requested that Mr. Hom report to the Commission on when the Department of Human Resources has forwarded the IPM coordinator position applications to the Recreation & Parks Department. Commissioner Okamoto commented that "we should have more support for Al and Rec & Park in promoting IPM practices."

Draft Resolution No. 025-98-COE Granting Chemical Exemption Renewals Requests. Upon motion by Commissioner Richardson, resolution adopted unanimously as amended (granting Avid, M-pede, and Myclobutanil one-year renewals, and Banvel a six month renewal).

5. **Communications**

   A. **Correspondence –**
   Letter from Sister Bernie Galvin, Religious Witness with Homeless People re Presidio Transportation Resolution, Nov. 10, 1998; Secretary's reply, Nov. 18, 1998. Acknowledged.

   December 3, 1998 Letter to U.S. EPA Regional Administrator Felicia Marcus by Vice President Krefting commending the federal agency's designation of dioxin as a high priority for immediate action in San Francisco Bay under the Clean Water Act section 303(d) was also acknowledged.

   B. **Hearing** – None.

6. **Municipal Fiscal Advisory Committee Update on Review of Environmental Functions** (Sandy Stadtfeld, Booz Allen & Hamilton, Inc.) Mr. Stadtfeld could not attend because of a family medical emergency. Vice President Krefting asked that Mr. Stadtfeld be invited to give a briefing at the next regular meeting of the Finance & Operations Committee, on December 21, 1998.

7. **Draft Resolution No. 001-99-COE Bylaws Amendment – Change of Regular Meeting Time and Location.** The Commission discussed its options for setting its regular meeting time and place in the retrofitted City Hall starting in January, 1999. Vice President Krefting said he would take this matter under advisement.

8. **Notice of Special Meeting of the Commission on Tuesday, January 12, 1999.** The Commission agreed that the next regular meeting shall be scheduled for its regular time, in Room 207, at 401 Van Ness Avenue.

9. **Finance & Operations Committee Report.** There was no meeting in November. The next meeting will be on Monday, December 21, 1998 in Room 430, 401 Van Ness Avenue.

10. **Planning & Policy Committee Report**. There was no meeting. The next meeting will be Thursday, December 17, 1998 in Room 430, 401 Van Ness Avenue.

11. **Department Report.** The Commission commended the current staff of the Department for carrying on at half strength pending a new director and executive secretary. No date has been set for the introduction of Supervisor Tom Ammiano's two-part Resource Efficient Buildings legislation. Deputy City Attorney Rona Sandler reported that Supervisor Leslie Katz' Environmentally Preferred Purchasing Program legislation is still in the final drafting stage. Both pieces of legislation would call for the creation of new staff positions in the Department of the Environment.

12. **President's Announcements.** Vice President Krefting announced that President Vietor is in India and would return for the January, 1999 meeting.

13. **Other Business.** Commissioner Eng commented that today's events (the electrical Blackout of 1998 throughout San Francisco and northern San Mateo County because of a PG&E construction crew's error at the Coyote Point substation) reminded her of her call for creation of a San Francisco Energy Policy Task Force to recommend an energy policy for the City and underscored "a situation where we'll always be vulnerable. This city needs to look at energy *hard*. Hetch Hechy's not doing it. But once things settle down, this Commission should take a look at energy."

    Commissioner Richardson concurred and then requested that the U.S. EPA's environmental impact assessment of the proposed new eastern span of the San Francisco-Oakland Bay Bridge be calendared for discussion in the January 12, 1999 regular meeting. Commissioner Okamoto requested that the Planning & Policy Committee discuss the progress and implications of the Resource Efficient Buildings Program legislation. Commissioner

Evans also requested that Supervisor Mark Leno be contacted for information regarding his resolution calling for a position in the Department to coordinate environmental matters vis-à-vis the Board.

14. **Public Comment.** None.

15. **CLOSED SESSION** At 6:57 p.m.,

THE COMMISSION ON THE ENVIRONMENT WENT INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 AND SAN FRANCISCO

ADMINISTRATIVE CODE SECTION 67.10(B) TO DISCUSS AND POSSIBLY TAKE ACTION ON THE FOLLOWING:

Review of Personnel Matters

16. **RETURN TO OPEN SESSION - Discussion and vote on whether to disclose discussion held in closed session.** The Commission unanimously voted for non-disclosure.

17. **Disclosure of any action taken to appoint, employ, dismiss, transfer, or accept resignation.** None.

18. **Adjournment.** The meeting was adjourned at 8 p.m.

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NOTICE AND AGENDA

SPECIAL MEETING
COMMISSION ON THE ENVIRONMENT

5:45 p.m*.
Thursday, December 17, 1998
Room 430*, 401 Van Ness Avenue

1. Call to Order & Roll Call
2. **CLOSED SESSION** - THE COMMISSION ON THE ENVIRONMENT WILL GO INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 AND SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(B) TO DISCUSS AND POSSIBLY TAKE ACTION ON THE FOLLOWING: **ACTION**

   Review of Personnel Matters
3. **RETURN TO OPEN SESSION** – Discussion and vote on whether to disclose discussion held in closed session **ACTION**
4. Disclosure of any action taken to appoint, employ, dismiss, transfer or accept resignation
5. Adjournment

- Not the regular meeting place/time.

1540 MARKET STREET, SUITE 160, SAN FRANCISCO, CALIFORNIA 94102
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TELEPHONE (415) 544-6390 FAX 554-6393 E-MAIL: ENVIRONMENT@CI.SF.CA.US

ACCESSIBLE MEETING INFORMATION

Air Quality

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals. [Section 67.15 of the San Francisco Administrative Code, Sunshine Ordinance.]

Public Transportation

The closest BART station serving 401 Van Ness Avenue is the Civic Center station.

Accessibility of Meeting Location

The meeting room is accessible by wheelchair. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are the #42 Downtown Loop, #71 Haight/Noriega, the F-line to Market and Van Ness, and the MUNI Metro stations at Van Ness and Market and Civic Center. For more information about MUNI accessible services, please call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial complex.

Large print agendas, audio tapes of minutes, sound-enhancement equipment, and other services to aid the visually and hearing-impaired to attend the meeting are available by calling 554-6390.

Statement of Nondiscrimination

The Commission on the Environment does not discriminate on the basis of disability in employment or in the admission and access to its programs or activities.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95)

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